

GOVERNMENTAL POLICIES AND THE
PAROCHIAL SCHOOLS

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PAROCHIAL SCHOOLS**

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CHAPTER I

INTRODUCTION

The purpose of this study is to make an investigation of certain governmental policies in relation to parochial schools and to ascertain reasons why parents enroll their children in parochial schools instead of in the public schools. As an introduction to the study, an historical survey is made of the development of public schools in the United States and of the origin and development of parochial schools.

This study is limited to an investigation of certain designated governmental policies in regard to parochial schools and public schools, namely: (1) provision of free transportation and of free textbooks for children enrolled in parochial schools; (2) state and federal aid to students enrolled in parochial schools; (3) emphasis upon religion in the public schools; (4) desirability of providing non-sectarian religious training in the public schools.

At the same time, the study was limited to a consideration of ten reasons why parents enroll their children in parochial schools in preference to the public schools. It was recognized, of course, that there might be other reasons involved, but these were not considered except

as parents might list them voluntarily on the questionnaires utilized in this study. Certain personal data were also solicited from respondents, relating particularly to the religious affiliations of the family.

Perhaps the most restrictive limitation of all was the fact that the data were collected by means of questionnaire from only a small number of respondents. The writer mailed out the questionnaires to one hundred selected pairs of parents in Texas whose children are enrolled in Catholic parochial schools, but responses were received from only forty-four of this number. Therefore, the sampling was small. However, a cursory initial examination of the returned questionnaires revealed the fact that replies to specific items were so nearly uniform that the writer reached the conclusion that a similar uniformity would likely exist among the responses, even if many times the number of respondents participating in the study had constituted the source of data for the survey.

After the nature of the problem had been defined, the writer read widely in available literature concerning the origin and growth of parochial schools in the United States and concerning the development of the public school system which had long been the characteristic strength of the American educational program. Notes were taken from the readings and later were assembled in logical order in organizing the information collected as the basis of the discussions

which are presented in the following chapters of this report of the study.

A brief questionnaire (see Appendix) was formulated for the purpose of collecting information relating to the religious affiliations of family groups included in the study, to parents' reasons for enrolling their children in parochial schools, and to certain governmental policies in regard to parochial schools. These questionnaires were distributed by mail to parents who were selected from among those in Texas whose children are enrolled in Catholic parochial schools. The selection of respondents was made more or less at random from among this particular group of parents.

When the questionnaires had been returned, the responses were tabulated and percentages were calculated for each item in the questionnaire. These data were arranged in tables and interpreted in accompanying discussions.

In this study, the term "parochial school" is understood to imply, in general, a school of below-college rank supported in whole or in part by a religious or church group and under the direct control and supervision of that group. Specifically, in this study, "parochial school" refers to elementary or secondary schools supported and controlled by the Roman Catholic Church. In the discussion of the data collected by means of the questionnaire, "parochial school" may refer specifically

to particular Catholic schools attended by children whose parents responded to the questionnaire.

The term "public school" refers to an elementary or a secondary school under the control of and supported wholly by local or state civil authorities. In its early history, the public school was supported in part by funds allocated locally or appropriated by the state, and in part by tuition fees and assessments paid by the parents of children attending the school. Today, of course, the public school is supported entirely by taxation, and the cost is shared by the local community and by the state.

Historical data for this study were collected from the reading of a number of books having to do with the history of education and of the development of public and parochial schools. Data of a specific nature were gathered from various government publications, educational bulletins, and questionnaire responses.

Chapter II deals with the origins and development of the public school system of the United States. It proposes to present factors, influences, and movements which operated to bring about the establishment of public schools. Although the treatment is somewhat lengthy, it touches only the high points in the long and dramatic struggle for public education in the United States.

Chapter III presents a brief discussion of the origins and development of parochial schools under the control of the Protestant denominations and of the Roman Catholic Church. Included in this chapter, besides the historical treatment, is a discussion of the philosophy of Catholic parochial schools and an analysis of the reasons why parents enroll their children in parochial schools in preference to the public schools.

Chapter IV presents, in considerable detail, a discussion of the question of federal and state aid in parochial education, including the problems that have arisen in the light of such aid and typical legal cases and court decisions defining policies and principles. Specific subjects discussed in this chapter include compulsory support of sectarian instruction, tax levies and appropriations, free textbooks, transportation, state supervision and educational control of schools, and religion and "released time."

Chapter V, the conclusion, contains a brief summary of the study.

CHAPTER II

ORIGIN AND DEVELOPMENT OF PUBLIC SCHOOLS IN THE UNITED STATES

Education During the Colonial Era and the Early Years of National Existence

The influence of the frontier upon life in America.

—When the first settlements were made along the Atlantic coast, the process of carving a civilization from a virgin wilderness began. In time, some of these original settlements grew into towns and later into cities. When this happened, the frontier no longer existed along the coast, but it moved slowly westward as pioneers and adventurers trekked into the wilderness to explore, to establish homes, and to determine the extent of this new continent.

When towns and cities grew up in the East, class distinctions on the basis of ownership of property soon developed—something which had never existed there when the seaboard was a frontier. But westward toward the mountains, and then beyond the mountains, where men and women were laying out trails and establishing homes, the frontier persisted and was not to end until the on-surgng tides of settlement had swept across the land to the Pacific.

Frontier life developed substantial economic equality. No one had any money, but everybody was engaged in carving homes and fields and orchards from the surrounding wilderness. The harsh conditions of frontier existence required many co-operative undertakings, which must have fostered the sense of mutual interdependence. Above all, there was similarity in the activities of all frontier settlers, in their way of life, and even in the very deprivations and hardships which they suffered. In view of this equality, it was to be expected that when civil government became necessary, every man should count as one and should participate equally with all other men as voters and as potential officeholders. With good reason, people living on the frontier developed a strong sense of social equality. Every man felt entitled to consider himself as good as any other man, for were they not all engaged in the same activities? In the cities there grew up—in the East where there were cities—clearly defined class distinctions, almost from the very beginning, on the basis of property. Those who had property and wealth were the leaders, officeholders, and policy makers, while those who had less or nothing possessed little voice in local affairs. On the frontier, though, as it expanded steadily westward, democracy and equality prevailed as long as the frontier existed.¹

¹Edward H. Reisner, The Evolution of the Common School, p. 275.

While the frontier made some definite contributions to the development of American ideologies and institutions, it at the same time possessed certain features which were in the nature of handicaps, hardships, and deprivations.

The total influence of the frontier in American life is not to be appreciated . . . without taking into account some negative aspects which it undoubtedly exhibited. Life on the frontier was bare and harsh, lacking not only in creature comforts, but in spiritual satisfactions as well. There was small opportunity for association with other persons. The contact with the more settled civilization of the East, with its relatively rich supply of experiences that gave tone and variety to life, was sporadic and difficult to effect. Means of communication were all but lacking. Books and newspapers were few. The mute things about the frontiersman—his dwelling, his furniture, his clothing—fell to a dull, drab level of bare utility. He had no books, or at the best, but few of them. It was all but impossible to maintain religious services, even taking advantage of the ministrations of poorly educated circuit-riding preachers. No less difficulty was experienced in providing schools. The wide separation, and the scattered nature, of farmsteads made it difficult to secure enough children to make up a school within practicable distance from the homes of the pupils. The low value of the real estate and the general poverty of the inhabitants made the matter of school support extremely difficult, and the raw new land had few candidates for the office of schoolmaster. There was, in addition, small motive for acquiring more than the very rudiments of education. The business of the farmer called for little use of reading and writing and the arithmetic used in his vocation was elementary indeed. There were few books and newspapers to stimulate the desire to read. It is small wonder, then, that many persons found it only a slight inconvenience and hardly a matter of social disgrace to be unable to read and write. Against the account of the frontier with American civilization we must, accordingly, post a heavy debit of loss with respect to comfort, refinement, and education.²

²Ibid., pp. 275-276.

Colonial progress toward public education. — During the colonial period in America, the prevailing form of education was moral and vocational, conducted in terms of apprenticeship laws copied from those in effect in England. In addition, there was, of course, more formal education, especially that designed to prepare for admission into the clergy. In the middle and southern colonies, the English tradition of private education was largely adhered to. If parents were capable, they might give their children rudimentary instruction in the home; otherwise, they would be sent to the home of someone who could teach them the early steps in reading, writing, and ciphering. In 1671, when Governor Berkeley of Virginia was questioned by his home government concerning what was being done toward the education of children in his colony,³ he wrote in his report:

The same course that is taken in England out of towns; every man according to his ability instructing his children. . . . But, I thank God, there are no free schools nor printing, and I hope we shall not have them these hundred years, for learning has brought disobedience and heresy and sects into the world, and printing has divulged them and libels against the best government. God keep us from them both.⁴

Thus there appears to have been a strong prejudice against free schools and against the dissemination of knowledge.

³Paul Monroe, Founding of the American Public School System, I, 53.

⁴John S. Brubacher, A History of the Problems of Education, p. 547.

In the middle colonies, such schools as existed were private and were predominantly adjuncts of the churches. Some sects, even in that early day, maintained parochial school systems. In this area, the great diversity of sects, many maintaining their own school systems, tended to delay the coming of the public school. The only school which the middle colonies maintained at public expense was the so-called "pauper" or "charity school." In these schools the colonial government defrayed the educational expenses of children whose parents could not pay for their education in private schools.⁵

In the New England occurred the principal early progress toward the establishment of a system of public schools. Here, Massachusetts took the lead with its notable enactments of 1642 and 1647. Owing its origin to the English "poor law," the first of these laws made the selectmen responsible for ascertaining whether parents and masters of the trades were training their children in labor and other useful employments. If not, the selectmen were authorized to apprentice the children to learn a useful trade. The Massachusetts law went considerably beyond the English statutes by charging the selectmen to inquire as to the ability of children to read well enough to understand the principles of religion and the laws of the colony. In this requirement, American indebtedness to the Protestant tradition in

⁵Ibid., pp. 547-548.

education was implied, especially since it came down through Calvin and the Puritans. The joint interest of church and state in education was further expanded in the law of 1647. By the terms of this colonial legislation, towns having as many as fifty families were required to establish an elementary school and to appoint a teacher, while those of a hundred families or more had to set up both elementary and secondary schools. Each town was given the option of meeting educational expenses either by taxation or by prorating them among the parents whose children attended the school. The first schools established under this act depended wholly upon assessments paid by parents, although later some communities voted to reduce these individual assessments by levying small taxes upon all property owners. Never, however, was the tax money sufficient to defray all the expenses of the schools.

Although this legislation in Massachusetts in the middle of the seventeenth century represented a great forward step,

It would be a mistake to identify the educational provisions of these two laws with the public school system that took form in the nineteenth century. Yet it would be an equally grave mistake not to realize how this advanced legislation of the seventeenth century foreshadowed the future. Involved in these two laws were precedents and principles that were invoked again and again in American educational history. First one should note that the obligation to provide education was put primarily on the shoulders of the parent. This much is clear and explicit in the law of 1642, nor did the law of 1647 shift this burden. The law of 1647 merely provided a place where the parent, his hands full with pressing back the frontier and fighting Indians, might discharge the obligation of educating his children

without being relieved of it. But, second, it should be noted that these laws recognized education as a vital public concern. They recognized education as essential to the well-being of the state and therefore that the state had an interest in enforcing the parents' obligation to educate their children. Moreover, they indicated that the state could determine the kind and minimum amount of education that its wards should have.

These were bold principles for the seventeenth century. Yet it is unlikely that the colonists fully appreciated their scope. Thus, in spite of vesting education with a public interest, it is notable that they made but a very faltering step toward the public support of education. Education might be important for the commonweal, but reliance was put on private initiative to secure it.⁶

Before 1647, many Massachusetts communities had voluntarily established schools, but in that year all communities with as many as fifty families had to have an elementary school and those with a hundred families or more had to have, in addition, a secondary (Latin-grammar) school. Both types of schools were to incorporate religion as a principal element in the curriculum. Soon, similar requirements were enacted in the other New England colonies, except for Rhode Island. "The Puritan church thus used the Puritan state in its effort to promote and preserve the Puritan ideals."⁷

The colonies of Pennsylvania and New Jersey, followed by several others, early authorized each religious body to build up its own school system, if it so desired; and thereafter the colonial government itself,

⁶Ibid., pp. 548-549.

⁷James Mulhern, A History of Education, p. 469.

in these particular colonies, took no further interest in education for some time, being willing to entrust the religious denominations with the sole responsibility of instructing the children.⁸

After making a good start in the first half of the seventeenth century in Massachusetts and in other colonies after 1650, town or public schools underwent a lamentable decline before the end of that century. This was due in part to frontier conditions. The movement of much of the population toward the frontier put great strain on the unified town control of schools. Eventually, this control had to be decentralized and placed in the districts of the township. As districts were small, frequently lacking in leadership, and often sparsely settled, the public control of schools sank to a very low state.

At the same time, the decline of the public-school idea was due in part to a decline in religious fervor. From the very beginning, agitation for a system of education that would include all children was primarily a religious ideal rather than a political principle. It is true that all provisions for such education resulted from colonial and state legislation; but in those early days the state was largely the agent of the Puritan churches, whose leaders were deeply concerned that all of the people should know how to read so they could study their Bibles, understand the plan of salvation, and know how to protect themselves

⁸Monroe, op. cit., p. 104.

against the attacks of what the Puritans called "ye olde deluder Satan." It was only natural, then, that "when the early religious zeal became tempered, there was a noticeable decline of interest in the public school it had sired."⁹

When independence was won and the time came for welding the separate colonies into a united nation, the proposed form of government for the new country was defined in the Constitution. It appears strange to us today that this document contains no mention of provisions for education. In the lengthy deliberations which preceded the framing of the Constitution, little consideration was given to education; and in few of the original constitutions of the states did it receive any attention. These omissions indicate that education was not, at that time, recognized as a national or state problem.¹⁰ It was, instead, left to the parents and the churches.

For the first generation following the birth of the nation, the New England states and New York were easily the leaders in public education. In her first state constitution, Massachusetts provided for the continuation and improvement of colonial policies toward education and affirmed her strong belief in a state system of public education. Shortly afterwards, New Hampshire copied into her first constitution

⁹Brubacher, op. cit., p. 549.

¹⁰Monroe, op. cit., p. 194.

the exact words framed by Massachusetts concerning education; and Vermont, in her original constitution, came out for a public system of schools. Connecticut continued colonial policies without substantial change, but provided that more emphasis should be given to public schools. Since Maine was a part of Massachusetts until 1820, the whole of New England except Rhode Island early became a land of common schools provided by legal mandate and maintained by civil officials. There are, however, public schools in name only and public schools in fact. These early so-called public schools were such in name only. They were called "public" because they were under the supervision of designated public officials; but they were not public in the sense that their cost of maintenance was borne entirely by the public.

Even in colonial times, the support of schools in whole or in part by means of taxation had been the accepted practice in New England. By 1789, the prevailing tendency in Massachusetts was to make the lower, or common, schools free to all pupils, and in 1827 a law was enacted making all grades taught in the public schools open to all children without tuition requirements. In 1795, Connecticut greatly enhanced a common school fund, started half a century before, by allocating to the perpetual maintenance of public education the returns from the sale to the federal government or to private parties of the

Western Reserve in northern Ohio. The initial income from such sales totaled \$1,200,000, which lowered the cost of education to the various communities and went far toward providing free instruction in public schools.

New York recognized the state's obligation in the matter of education by establishing in 1784 a Board of Regents to have supervision and control of secondary and higher education, but not until 1795 was the first step taken in that state to stimulate the establishment of public common schools. In that year, town school communities were created to supervise community schools and to apportion the annual grant of \$100,000, which was appropriated by the legislature for a five-year period to aid school districts in the maintenance of common schools. In 1800, this subsidy was stopped, but twelve years later a state-wide district system of common schools was established with state aid for all existing schools. At the same time, a state superintendent of schools was authorized, whose activities and duties were related exclusively to common schools of the state. New York was the first of the states to authorize the office of state superintendent of schools.¹¹

After the Revolution and the War of 1812, a plan for educating the children of paupers was widely accepted for a time, but in all

¹¹Reisner, op. cit., pp. 287-288.

instances was soon discarded. By this plan the state paid tuition for the children of paupers, while all who could do so were required to pay their own fees. This practice was adopted by New Jersey, Pennsylvania, Georgia, Texas, and other states, but it encountered many difficulties and much opposition. The method of deciding who were paupers was a major problem, but the stigma of branding children as paupers was wholly un-American and was the most objectionable feature of the plan.¹²

The first purposeful, organized movement for universal public education began in New York State, under the leadership of DeWitt Clinton. It soon spread to Massachusetts, where Horace Mann gave it the widest publicity, and to Connecticut and Rhode Island, where it was promoted by Henry Barnard.

In 1805, Clinton, then mayor of New York City, organized the New York Free School Society to promote free schools in the city for the poor children who were not given instruction by the churches or by philanthropic groups. This organization was interdenominational but under Protestant auspices. Clinton was its president for twenty-one years. During ten years as governor of New York State, Clinton was instrumental in greatly increasing state funds for education, in bringing about many educational improvements in the state, and in

¹²Frederick Eby, The Development of Modern Education, second edition, p. 557.

intensifying popular interest in education. Although he was never able to bring about a state system of free education for all children, Clinton did lay the groundwork for such a program and gave the movement for free education at public expense much valuable publicity and promotion. He did realize his objective in New York City, however, for in 1832, largely through Clinton's influence, the city school system took over the operation and maintenance of the schools which had been maintained by the Free School Society, and immediately made all public schools in the city tuition-free for all children. This event marked the beginning of a new era in the struggle for common free schools. Thereafter, other cities, one by one, slowly followed the example of New York City, and the movement for free education triumphed, slowly but surely.¹³ The establishment of public schools, however, did not always mean that children could enjoy the benefits of an adequate education. Often, in these early public schools, the only qualification required of teachers was the ability to read and write.¹⁴ With such mediocre instructors, one could not expect much learning to occur.

The land-grant policy as an aid to education. —

From the earliest beginnings of settlement in America, it had been the practice to donate or designate lands for the establishment of schools

¹³Ibid., pp. 551-553.

¹⁴R. Freeman Butts, A Cultural History of Education, p. 371.

and colleges. Spanish kings early adopted this policy in their government of the New World. The Puritans did the same in New England. Many individuals early began to lay plans to use the income from the sale of the vast lands in the West not only for the support of state and local governments, but also for schools and internal improvements.¹⁵

As early as 1785, an ordinance enacted by the Continental Congress called for the surveying of an eastern portion of the Northwestern Territory. Townships six miles square were to be surveyed and subdivided into thirty-six lots or sections, the sixteenth lot of each township to be reserved for the support of schools and the twenty-ninth section for the support of religion. The original incentive for this survey was a desire on the part of a number of Eastern business men, speculators, and military leaders to purchase land in Ohio to be disposed of to settlers. In the first few years after 1785, several million acres of land were sold by the government to such individuals and companies. The government's policy of stipulating that certain sections should be reserved for the support of education and religion was purely a means of guaranteeing that schools and churches should be available when enough settlers had entered the new territory to justify their existence. Although this provision for education and religion was part of the government's plan for dealing with individuals and companies

¹⁵Eby, *op. cit.*, p. 399.

as private parties and did not declare itself to be state policy, when the territory of Ohio applied for admission to the Union as a state, the Federal Government continued, in modified form, its policy of subsidizing public education by land grants; but grants for the support of religion were not continued. When Ohio was granted statehood in 1803, the terms of admission stated that every township in the state was to be granted the sixteenth section of land for the maintenance of common schools.

The federal policy thus initiated in the case of Ohio was continued with the other new states created out of the Northwest Territory; and as new areas came into the possession of the nation by means of conquest or purchase, the same policy was followed with the states subsequently organized. The result was that in every new township created from the national domain, even though it existed only on the surveyors' maps, there was at least one section of land which pointed toward a system of public schools. These sections could be devoted only to school purposes, and they had to be looked after and the funds properly cared for. Officials had to be designated to assume this responsibility, and schools had to be established to which the returns from the land could be applied. In 1806 and 1810 laws were passed in Ohio authorizing the formation of schools when there were as many as twenty voters in a township and providing for the election of three

school trustees and a treasurer of the school funds. In the other states affected by the government's land-grant policy, similar provisions were made for the schools when the number of settlers in a community warranted their establishment.¹⁶

. . . the result of the federal land-grant policy was, then, the placing of an entering wedge for public schools in this official recognition of education as a public interest to be participated in by public officials. To this extent the new states created on the frontier came into the Union with a predisposition toward a public system of common schools.¹⁷

Private and parochial schools in early America.

— The early Americans, in the main, believed that God has imposed upon men the personal obligation to learn "to read his holy Word." That duty required at least a minimum of elementary education. Schools, therefore, were frequently established in connection with churches by the several denominations, and the government was willing to entrust education to the churches and to teachers who conducted private schools. In the colonies, the parochial school became the prevailing type. In the colonial period, many schools were established for the primary purpose of winning back "foolish" dissenters to Anglicanism; and there was special, concentrated effort to win back the Quakers to "the way of truth, namely, the Anglican faith."¹⁸

¹⁶Reisner, op. cit., pp. 289-290.

¹⁷Ibid., p. 290.

¹⁸Mulhern, op. cit., pp. 468-469.

Church-related schools tended to be for all children to a greater degree than was true of other private schools. The government supported, contributed to, supervised, authorized, or tolerated these schools, as the case might be; but in no instance did the government assume the ultimate responsibility.¹⁹

From the early Middle Ages until many centuries later, . . . education . . . was largely under the direction of the Church; and until near the close of the 18th century, both in Europe and in what is now the United States, . . . education was chiefly provided by and under the control of various Christian groups. Its primary aim was to give instruction and training in the principles and teachings of the Christian religion. Since the beginning of the 19th century, however, the aims of . . . education have greatly changed. The original aim of . . . education has been so radically altered that today, in the public . . . schools of the United States, for example, where the separation of church and state has long been a distinctive principle of that country, and where there are numerous Protestant sects, religious instruction has been excluded from the program of instruction. In Catholic and other parochial schools the teaching of religion is, of course, looked upon as a major responsibility.²⁰

Americans early accepted the idea that the churches could exert a considerable influence on behalf of liberty if they were permitted to establish, operate, and control their own schools. In this sense, denominational control of education was a great victory for religious tolerance. It is also true, however, that in future years the religious control of schools was to stand in the way of the idea that education

¹⁹ Monroe, op. cit., p. 103.

²⁰ Edgar W. Knight, Twenty Centuries of Education, p. 377.

should be under public control for all children, regardless of their creed or lack of it. Even today, the United States is still struggling with the problem of reconciling "secular education under civil control with the demands of the churches for religious education under church control."²¹

In view of the decline of interest in the earliest so-called public schools, which occurred before the end of the seventeenth century, the schools that prospered in the eighteenth century were the private ones, especially the multitude of academies that began with Phillips Andover Academy. Much of this success was due to the more flexible and richer curriculum of the private schools. They were not so much under the iron domination of the Puritans as were the public schools, and consequently they placed less emphasis upon a study of the Bible and the catechism, which were the principal subjects of study in most of the public schools. Being dependent almost entirely on patrons' fees, private schools were naturally more responsive to changing social demands.²²

The academy of that day was a "semi-public, non-sectarian boarding and (or) day secondary school, which, catering, in curriculum and fees, to the needs of the rapidly increasing middle class, from its

²¹Butts, op. cit., p. 363.

²²Brubacher, op. cit., pp. 549-550.

upper to its lower economic stratum, met the educational demands and aspirations of that class in our period of transition from an aristocratic to a common-man republic."²³ The academy was semi-public because it usually received subsidies from the government, either state or local, in recognition of the educational services it was performing. There were few academies in existence before the Revolution, but among those that had been founded, the most successful and the best known was one established by Benjamin Franklin in Philadelphia in 1750. In the period between the Revolution and the Civil War, the academy became the dominant type of secondary school, and spread into every section of the country.²⁴

As to the type of program offered by the academy, the following description is interesting and enlightening:

In keeping with our developing democracy and expanding industrial and commercial life, the academy offered instruction in such a variety of subjects that there were few, if any, whose interests and needs it did not serve. In the variety of its offerings, the academy stands in marked contrast with the Latin grammar school, which catered to an aristocratic few who were preparing themselves for college rather than for life. The academy prepared students for anything and everything, and was not very systematic in doing so. While organized curricula appeared, students enjoyed much freedom in selecting from the conglomerate mass of offerings the studies they desired. The academy thus tried hard to meet the needs of our emerging democracy,

²³Mulhern, op. cit., p. 476.

²⁴Ibid.

and to give recognition to the new elements that science and economic changes had added to the culture of western nations. It is worthy of note that religious and moral instruction, without sectarian bias, was frequently provided in academies.²⁵

**Forces and Influences in the Nineteenth Century
Which Fostered the Development of
Public Education**

Early steps toward public education in the nineteenth century. -- During the half century from 1800 to 1850, the people of the United States came closer to the acceptance of education as a responsibility of the state. They came to understand that the principle of free education for all children was an essential element in democracy, and this attitude began slowly to replace the older belief that the education of the child should be the responsibility, entirely, of the home or of the church, either separately or jointly.²⁶

The greatest educational achievement of the nineteenth century was the destruction of the traditional notions that education should be reserved only for those intellectually capable of profiting from it and financially able to pay for it and that free education should be provided only for the poor and the underprivileged. With the shattering of these deep-seated beliefs emerged the concept that free education

²⁵ Ibid., pp. 477-478.

²⁶ Knight, op. cit., p. 393.

should be designed for and available to everyone, regardless of financial status.²⁷

In the nineteenth century,

Popular education awaited the growth of democratic sentiment and principles, and public support of education could not be established until national power and authority had been placed on a firm basis. These fundamental changes were taking place during the first half century of the independent existence of the American nation.²⁸

With the founding of the new American nation and with the conversion of colonies into states, came widespread demands from many sources that the state take positive action in support of wider educational opportunities for the children of all the people. At first, American states met this pressure with a variety of halfway measures. In some cases, states went halfway toward the establishment of a public school system by subsidizing private schools and school societies supported by philanthropy. In other instances, the state went halfway toward a tax-supported school system by allotting to the schools the revenues derived from excises, lotteries, and the sale of public lands. In still other cases, the state went so far as to permit, by means of legislative action, local communities to tax themselves voluntarily for the support of schools if they wished to do so. These were significant steps in the right direction, "but to go the whole way and establish

²⁷ Butts, op. cit., pp. 472-473.

²⁸ Monroe, op. cit., p. 211.

free schools through the abolition of tuition fees and through levying a tax for schools constituted a final barrier that proved most difficult to overcome."²⁹

There was no clearly defined prerogative on the part of state authorities to demand educational improvements in local communities; and local communities, at the same time, insisted on autonomy in the details of school establishment, policy, and administration. After 1825, in the northern, middle, and newer western states, political power was vested in the people. Unpopular school legislation, enacted in advance of public sentiment in its support, could be repealed, and often was repealed, by the simple process of electing legislative representatives who were opposed to the laws in question. Thus, a law calling for educational improvement was secure and meaningful only when the voting public was convinced of its desirability. It is true, of course, that most educational improvement has been registered in state laws, but such legislation has originated in the improved practices of local communities acting on their own initiative out of the abundant prerogatives which they possessed.

The people were in possession of political power before much progress had been made in the establishment of public schools, outside of New England. The public, which needed to be educated to see

²⁹Brubacher, op. cit., p. 551.

the need of a comprehensive and universal system of schools, was itself largely an uneducated public. Conditions of life did not call for much schooling; parents had got by with little, and their children might be expected to require no more. Their sense of independence and of social and economic superiority made the well-to-do, in many instances, unwilling to contribute to the education of their shiftless neighbors' children; while at the same time, his own sense of independence made the poor man resentful of any interference with his right to let his children grow up without an education, if he so desired; and quite often he became suspicious of free schools as a sneaking form of charity which he abhorred.³⁰

Forces operating in the middle years of the nineteenth century to produce public-school systems. —

According to Butts,

. . . When Americans decided that political democracy was to be their form of government, by and for everyone, they also decided that they would provide an education for everyone. When Americans decided that government should expand its functions for the benefit of all the people, they naturally turned to public education as one of the most important of governmental functions. When Americans decided that they must become and remain a united nation, they turned to the public schools to help achieve their goals.³¹

It was in the nineteenth century, for the most part, that revolutionary changes in the industrial world came about through the application

³⁰Reisner, op. cit., pp. 282-284.

³¹Butts, op. cit., p. 471.

of power in the factory production of goods. The working classes experienced losses in comfort and security. Factory methods created the city with its many social problems; the factory seriously interfered with wholesome home conditions and family relationships; it introduced labor by women and children to a degree and in various ways never before known. The middle classes, who owned the factories, began to enjoy unprecedented economic advantages, while the working classes became virtual bondsmen to the middle classes through the operation of the factory system. In England, France, and the United States, especially, the problem of caring for the neglected children of the teeming industrial cities, whose parents were employed in the factories, became so imperative that philanthropy increased its efforts to provide remedial measures in the form of free schools for the poor.³²

Among the many influences at work in the middle decades of the nineteenth century were (1) the organized labor movement which arose after the factory system was firmly established, and the growing consciousness among all workers of the social and educational implications of democracy; (2) foreign influences; and (3) the activities of social and educational reformers in the United States. At this time, organized labor was beginning to recognize its political, social, and

³²Reisner, op. cit., p. 271.

economic power, and began to demand that the children of workers be given all of the educational advantages traditionally enjoyed by the children of the well-to-do. For achieving this purpose, labor demanded state systems of public schools in which rich and poor should meet on a basis of equality. While labor was becoming aggressive in its demands for educational advantages, American educators were studying educational developments in Europe and publishing reports concerning school progress abroad, especially in Prussia and in France. John Griscom, William C. Woodbridge, Calvin Stowe, Horace Mann, and Henry Barnard were among the many American educators who returned from Europe with important educational messages for America.

. . . All of these reports strengthened the conviction that our states ought to provide good schools for the masses; that the curriculum ought to be enriched; that improved methods of teaching ought to be adopted; and that the children of the nation have a right to the services of teachers specially trained for their work and adequately compensated. The message of reform was published also in educational magazines which appeared from 1825 onward.³³

Before the Civil War, virtually all of the states then existing had taken three significant steps in the progress of education: (1) the establishment of a state board of education as the central educational authority and clearing house in the state; (2) the establishment of state normal schools, the first of which was founded in Massachusetts in

³³Mulhern, op. cit., pp. 478-479.

1839 as a direct result of the efforts of Horace Mann; and (3) the laying of the foundations for public free schools by the adoption of both state and local programs of taxation for their support. In this respect, the Massachusetts law of 1827 set a pattern for the other states to follow. Other developments during this period included legislation setting up local school boards and administrative organizations, as well as tax programs. Also, some progress was made in some states toward a program of certification of teachers. In the South, educational progress was slower during this era than elsewhere, because of the absence of that strong middle class which, outside of the South, was the most influential force on the side of free public schools. In the South, most educational legislation was permissive rather than mandatory in nature. For example, legislatures in this region tended to provide that counties and local communities might set up systems of free public schools supported by taxation if a specified percentage—usually one third—of the electorate favored the plan. To counties and communities voting affirmatively, the state would provide financial aid to supplement funds derived from local taxation.³⁴

With the development of an industrial society and of the strong middle class that resulted,

. . . the American people . . . turned to the common school system as the only plan which satisfied all conditions. It involved "taxing all the wealth for the education of all the

³⁴ Ibid., pp. 481-482.

children." It made the schools free for all children regardless of their circumstances. It favored convenient school districts that made schools accessible to all. It harmonized the interests of the state as the centralizing overall agency with local and family responsibility and interests; and it prepared the way for the adoption of compulsory attendance.³⁵

The idea of compulsory attendance was obnoxious to the English. Martin Luther, in Germany, advocated it in a limited way. Calvin insisted upon compulsory instruction by the pastors, the parents, and the state, and implied the enforced attendance of children upon such instruction. But in New England this imposition was generally overlooked when the people lost their enthusiasm for Calvinistic theocracy.

On his tour of Europe for the purpose of studying the school systems of various countries, Horace Mann discovered that compulsory attendance was required in Germany, and he returned home to urge that Massachusetts develop a plan for requiring all children to attend school. He argued that it is absurd for the state to establish, maintain, and conduct schools and then permit parents to keep their children out of school to grow up in ignorance.

The principle of compulsory attendance was accepted first by Massachusetts in 1852. During the next half century it was adopted and legally enforced by various means and to varying degrees in

³⁵Eby, op. cit., pp. 557-558.

thirty-four states of the North; and between 1905 and 1918 it was belatedly adopted by all of the states in the South which had not already acted.³⁶

The idea of compulsory attendance was in serious conflict with the prevailing practice in the industrial centers of employing child labor in the factories. Massachusetts pioneered in enacting the nation's first child-labor law, making it illegal to employ a child under fifteen years of age unless he had attended an approved school for at least three months during the year preceding his employment. Sixteen years later, in 1852, Massachusetts followed this legislation with the nation's first modern compulsory-attendance law. This statute provided that all children between eight and fourteen years of age must attend school at least twelve weeks in the year, six weeks of which must be consecutive. The law provided penalties for non-observance.³⁷

During the time when public schools were being established here and there throughout the country, it became the general feeling of the people that all religious instruction with a sectarian slant should be eliminated from these schools, which were attended by children from all faiths. State after state secularized its schools, some of them permitting the reading of the Bible and the presentation of brief devotional services from which all sectarian implications were eliminated.

³⁶Ibid., p. 559.

³⁷Brubacher, op. cit., pp. 558-559.

Many of the states, if they had not entered the Union with such provisions in their constitutions, adopted amendments which forbade sectarian instruction in the public schools. By the time of the Civil War, free common schools of a secular character had become the fixed policy of the country.³⁸

The rate-bill system.—In the absence of completely free public instruction, there was the ever-present problem of providing schooling for children of the poor. The rate-bill system, since it required that parents help meet the cost of operating the schools, did not meet this situation adequately unless it was modified to permit the free enrollment of children whose parents could not bear their share of the expenses. Consequently, provision was generally made for accepting such children in the schools free of charge. The usual practice was to admit indigent children to the schools free of tuition and levy the cost of their instruction on parents who were able to pay. Naturally, this practice produced much protest from parents who might find the burden of tuition for their own children rather heavy and objected to this form of compulsory charity for the benefit of their sometimes shiftless neighbors. Serious objections were raised, also, by the recipients of the bounty who were thereby classified as paupers and were "on the town" for the education of their children. Many of

³⁸Eby, op. cit., p. 558.

these proud, but poor, citizens preferred to be independent even if it meant that their children must grow up in ignorance. The result was that, in the absence of any system of compulsory attendance, a great many poor children, who were legally entitled to free tuition, failed to go to school at all. In some instances, local school authorities made no provision for enrolling indigent children in the schools and concerned themselves only with those children whose parents could pay the necessary tuition. In other cases, parents who could pay refused to do so and spurned the advantages of education for their children.³⁹

In regard to the rate-bill system, which was generally in use throughout the country before schools were made wholly free to all children, Reisner has written:

. . . The law provided that schools should be, or in some cases might be, maintained under public auspices, but the cost of instruction continued to be in part or in whole the responsibility of the parents who sent children to the schools. The school system was public, but it was not free. It differed from a purely private system in that the teacher was employed by civil officials who became responsible for his salary. They in turn went to the parents of the pupils for the amount of the school costs remaining after the resources contributed by the state, or raised from the returns in public lands, or levied as local tax, had been applied to the annual school bill. This deficit was apportioned among the parents of pupils at the rate of so much per day per pupil and the school bills were collected by the civil government just as was any other form of taxation.

This system, known as the rate bill system, may properly be regarded as an intermediate step between a complete dependence on private initiative in education and

³⁹Reisner, op. cit., pp. 295-296.

a thoroughgoing plan of civil support and administration. Its importance as a phase of our national progress toward a free public school system has perhaps been minimized as a result of the bitter attacks upon the rate bill system during the struggle which took place during the middle third of the nineteenth century to make the schools public and free. For the proponents of the more generous educational policy, the rate bill was the enemy, and as such was the chief object of their attacks. . . . To have the schools maintained under public auspices, with the expense of instruction to parents substantially reduced as a result of public contributions, was in reality a long way in advance of a strictly private method of supplying education to those who were willing or able to pay for it for their children.⁴⁰

The rate-bill system was in effect in many cities as well as in small towns and rural communities. In the cities, the problem of the poor who did not attend school, although they usually were permitted to do so through the payment of their tuition by others able to carry this extra burden, was even more acute than in small communities. In many cities, public-spirited and philanthropic individuals and organizations became alarmed at the social menace of hordes of children growing up without discipline or instruction, and sought to provide through philanthropy the schools that were lacking for this group. Many philanthropic organizations were formed to meet the specific purpose of establishing and maintaining schools for the children of the poor. Many city churches made provisions for the education of poor children in schools maintained under their auspices. Some churches established schools for the specific purpose of offering

⁴⁰Ibid., pp. 293-294.

educational opportunities to poor children, while others had schools that admitted both paying and non-paying pupils.⁴¹

In its operation, the rate-bill system placed a premium upon short or irregular attendance of pupils at school. The amount to be paid for each child depended upon the number of days he was in attendance. Consequently, the oftener the child was out of school, the lighter was the burden of tuition assessed the parents.⁴² Under this plan, it is logical to suppose that there were numbers of parents who did not encourage their children to attend school with regularity, since absence would reduce the amount of tuition they owed to the school.

The Work of Horace Mann in Behalf of Public Education

It has been said that "the most epochal event in the development of nineteenth century American education was the appointment of Horace Mann to direct the public schools of Massachusetts in 1837"⁴³—ten years after the Massachusetts legislature had enacted a law making support of the schools by taxation compulsory, abolishing all rates and tuitions and assessments, and declaring that the schools were to be entirely free for all children. It has been said of Mann:

⁴¹Ibid., pp. 300-302.

⁴²Monroe, op. cit., p. 318.

⁴³Eby, op. cit., p. 554.

. . . Never did client have a more eloquent, sacrificial, and comprehending pleader; never did pleader feel he had a cause more appealing, consequential, and complex. "The Common School is the Greatest Discovery Made by Man" was the thesis which he elaborated at great length and by every medium of expression. ⁴⁴

Mann himself was a product of the schools of Massachusetts and of Brown University at Providence, Rhode Island, where he gained recognition as a scholar, where he graduated, and where he taught for two years—his only teaching experience. He had chosen law for his career and had made a brilliant beginning in this field when he was elected to the Massachusetts legislature. He was president of the Senate when the State School Board was established in 1837. Unexpectedly, he was elected to the secretaryship of this board, and for twelve years gave himself wholly and exhaustively to the duties of his office. Each year he published a report discussing the needs of the state school system and methods designed for its improvement. At home and abroad these reports were read with higher interest and enthusiasm than had ever before been accorded educational writings, since they represented a new epoch in the literature of education. In 1843, Mann spent five busy months in careful study of the school systems of various European countries. He stated his observations and formulated his conclusions in his seventh annual report, which has become an educational classic.

⁴⁴Ibid.

In addition to his twelve annual reports on the status of education in Massachusetts, Mann in 1838 established the Common School Journal, ten volumes of which were published during his term as secretary of the State School Board. Mann was an outstandingly eloquent speaker, and delivered many notable addresses on education. Largely due to his influence and to his efforts in the raising of funds, three normal schools were established in Massachusetts for the training of teachers, two in 1839 and one a year later.⁴⁵

When John Quincy Adams died, having served many years in Congress, Mann succeeded him as a member of the House of Representatives in Washington, where he served with considerable distinction from 1848 until 1853. His real ability, however, lay in the field of education, and he probably would never have resigned his office in Massachusetts with the State School Board to become a Congressman except for the fact that he knew his strenuous duties were impairing his health. In 1852, on the same day, he was nominated as a candidate for the office of governor of Massachusetts and was offered the presidency of Antioch College in Ohio. Rejecting the governorship in favor of the presidency of the new college, which was then in the process of construction, Mann became Antioch's first president. Although it was a church-related school, the college was to be coeducational, and would make no distinctions as to race. These principles

⁴⁵Ibid., pp. 554-555.

appealed to Mann, and, as the college's first president, he would be able to incorporate many of his educational concepts in the organization and program of Antioch.⁴⁶

Mann's greatest contribution, however, lay in the direction of public schools. His service to Massachusetts and to the rest of the country while serving as secretary of the State School Board was invaluable. He believed that if America was to become a true democracy, then there must be public schools, free to all, in which the finest possible education would be available to all. When he looked into the matter, Mann discovered that such crude public schools as then existed were merely places of detention for children whose parents lacked the money to pay their tuition in private schools. All of the teachers were men, most of whom were unfit for any other employment; and for that reason, if for no other, they were wholly unfit for service as guides and directors of the development of children. Worst of all was the public indifference toward the situation. It occurred to Mann that women, with appropriate children, would make better teachers than men for children at the elementary levels of the public schools. Simultaneously, he began to agitate for the establishment of normal schools for training both men and women to be teachers and to urge local communities to employ capable women as teachers. In

⁴⁶Charles Oliver Hoyt, Studies in the History of Modern Education, pp. 158-159.

many localities, this idea was bitterly opposed, and in some places there were actually ordinances prohibiting "females" from teaching in the schools.⁴⁷

Horace Mann possessed no revolutionary doctrine, as did Pestalozzi, Herbart, and Froebel, who formulated great principles but left to others the task of putting them into practice. Mann was not a theorist in any sense; instead, he was an intensely practical man, more concerned with the study of education from the standpoint of administration and organization than from the viewpoint of the classroom, although he certainly did not neglect the classroom and the teacher and their effective functioning in the total plan of education. Mann possessed a rare strength of character, and intuitive genius, a high regard for social and political virtues, and a trained intellect. He soon understood the conditions and recognized the needs of education, and his past training, keen perception, and native ability enabled him to grasp and apply the proper remedies in a singularly effective manner.⁴⁸

He made the bold claim that public education for all children might be expected to lessen materially the growing conflict between capital and labor. With great earnestness he stated:

⁴⁷Louise Hall Tharp, The Peabody Sisters of Salem, pp. 167-168.

⁴⁸Hoyt, op. cit., pp. 167-168.

Surely nothing but universal education can counterwork this tendency to the domination of capital and the servility of labor. . . . Education, then, beyond all other devices of human origin, is the great equalizer of the conditions of men—the balance wheel of the social machinery. . . . It gives each man the independence and the means by which he can resist the selfishness of other men. It does better than to disarm the poor of their hostility toward the rich: it prevents being poor.⁴⁹

As the first secretary of the Massachusetts State Board of Education, from 1837 to 1848, Mann found many of the existing school laws neglected, the public largely unconcerned about education, the amount of schooling available entirely inadequate, thousands of children growing up illiterate, teachers untrained, and the quality of instruction of a very low order. He worked tirelessly to enlighten the public regarding the importance of education, and he continually emphasized the need for educational reforms. He traveled through the state, year after year, preaching the gospel of better schools. In his annual reports, in his Common School Journal, and in other publications, he continued his program of enlightenment until his message spread throughout the nation and far beyond it.⁵⁰ His distinguished service for twelve years in behalf of the public schools of his state and of the nation as a whole "helped to promote a general common-school

⁴⁹ Brubacher, *op. cit.*, p. 555; from Life and Works of Horace Mann, III, 668-669.

⁵⁰ Mulhern, *op. cit.*, p. 479.

revival in many parts of the country during the latter part of the ante-bellum period."⁵¹

His program, first of all, was one of educating the public in respect to the values and necessity of education for everyone. First, he had to break through the walls of indifference and unconcern with which the public at large tended to view education. Then, after he had converted a sufficient proportion of the public to the idea that public schools were necessary, he could begin his actual work aimed at the establishment, maintenance, and improvement of such schools.

Mann began by holding what he humorously called "revival meetings" all over the state to discuss public schools and ways and means to improve them. At first the meetings were attended by only a handful of people, most of whom were women. But Mann was a brilliant speaker and now he was inspired by a great cause. His small audiences went away to spread the new gospel, and when Mr. Mann returned a month or two later he would find a larger group, a school properly heated perhaps, with less opportunity "for the study of astronomy through the holes in the roof." Teachers would be doing a better job through consciousness of public support.⁵²

Mann approached educational problems from three directions—through the people, the schools, and the teachers. With respect to the people, Mann aroused an interest in the public school and a faith in its efficiency that have done more to make public-school education in the United States universal than any other influence that might be

⁵¹ Knight, op. cit., p. 389.

⁵² Tharp, op. cit., p. 167.

mentioned. Through his emphasis upon the necessity of an intelligent citizenship in a republic, he did much to make the American school an institution of the state and to establish its right to state support and control. Horace Mann is primarily responsible for the American state school system as it now exists, for the democratic character of the American public school, and for the practical aspects of American education.

In connection with the schools themselves, Mann did much toward improving organization, establishing standards of equipment, broadening the program of work, enriching the curriculum, and clarifying methods of teaching. He was among the first to demonstrate the value of supervision and to emphasize the serious responsibilities vested in school committees and boards of education.

. . . He showed the need of greater care in the erection of school buildings; he secured recognition of the need of a proper material equipment for the schools; he brought about the preparation of better textbooks, the material of which was selected and arranged with a thought of the pupils' needs and limitations; he emphasized the need for moral and civic training in schools; and he helped to secure changes in the course of study in the interest of studies that had a direct bearing upon the needs of the life and the activities of the day. He recognized the importance of environment, and sought to give it its proper place in the school scheme.⁵³

In his work on behalf of teachers, Mann stressed two essentials—preparation and method. Through his labors, normal schools for

⁵³Hoyt, op. cit., p. 174.

the preparation of teachers became an essential and recognized part of the American school system, and institutes were begun for the special training of teachers. Also, he pointed out the value of libraries as school adjuncts and brought about their establishment. He was keen to recognize teachers' shortcomings in the classroom and in school discipline; and he found effective solutions and methods of dealing with these problems.⁵⁴ In his annual reports,

. . . The problems of school economy, the equipment of schools, the duties of parents, the needs of communities, and the relation of the schools to the nation at large, are treated in a manner than reveals the power of the trained administrator; while the questions of the schoolroom, the methods of teaching, and the preparation and qualifications of teachers, are discussed with a grasp of the situation and a keenness of insight that mark the skilled teacher. Taken as a whole, the reports comprise a body of educational classics almost without parallel. A careful perusal of their contents reveals a knowledge of the real needs, and a recognition of the adjustments necessary to meet them. In many of his plans Mr. Mann anticipated present day ideas, and many of the reforms agitated by educators today were suggested in his reports.⁵⁵

Because Mann steadfastly insisted on keeping all controversial sectarian religious materials out of the public school curriculum, he was widely accused of being the founder of a godless public school system. Actually, he was not the originator of this policy of non-sectarianism in the schools, for the Massachusetts state legislature, a

⁵⁴Ibid., pp. 173-175.

⁵⁵Ibid., p. 162.

decade before Mann began his work with the State School Board, had formulated the principle that no schoolbooks should be purchased or used in the schools which were "calculated to favor any particular religious sect or tenet." This action was taken in an effort to safeguard the schools from the bitter quarrel that had been going on for more than a quarter of a century between orthodox and liberal interpreters of Calvinistic doctrines.⁵⁶

Mann was severely criticized by the orthodox Calvinists because of his liberal attitudes regarding the teaching of religion in the schools. To one persistent and relentless critic Mann wrote that he was not opposed to teaching religion in the schools but that he would never consent to the teaching of creeds, doctrines, and man-made interpretations of fundamental religious principles. He clarified his position by writing that "the religion of heaven should be taught to children, while the creeds of men should be postponed until their minds are sufficiently matured to weigh evidence and arguments."⁵⁷

Because of his hard work on behalf of public education, because of his unswerving devotion to certain fundamental principles, and because of his tact and skill in persuading large segments of the public to accept his beliefs and enthusiasms relating to the public schools,

⁵⁶Brubacher, op. cit., p. 335.

⁵⁷Ibid., p. 336.

Horace Mann has been called an "educational statesman."⁵⁸ There was much criticism of his ideas during his lifetime, but even his enemies had to admit that he was a zealous crusader for his cause and that he was deeply sincere in all of his work.

Whole books could be written, and have been written, concerning the educational reforms and improvements brought about by Horace Mann. There is hardly any worth-while practice or concept in education today which cannot be traced back to the alert mind and progressive attitude of Mann. Eby, in his discussion of Mann's contributions to education, concedes that, during his twelve years with the Massachusetts State School Board, Mann championed literally scores of educational reforms, but that the major ones which he advocated—seventeen in number—can be stated briefly as follows:

1. Improvement in physical equipment: better buildings; sanitary conditions in heating, lighting, ventilation, and toilets; hygienic seats and desks; teaching aids, such as blackboards, maps, charts, and so forth; and more spacious grounds for play.

2. Higher standards for training of teachers; normal schools, institutes, and teachers' associations.

3. Greater effort and care in the examination and selection of teachers.

4. The employment of more women teachers, on the ground that they are by nature more sympathetic and better adapted to deal with elementary pupils.

5. More intelligent supervision of instruction and discipline.

6. The placing of a library in every school and community; more books written expressly for children, and more dealing with history, science, and the mechanical arts; and the cultivation of the reading tastes of children.

⁵⁸Hoyt, op. cit., p. 173.

7. Improved methods of instruction in all fields; reading to begin with the word method rather than the alphabet; spelling of words in common use and not technical terms; and concrete methods of teaching arithmetic, grammar, composition, and other subjects difficult for beginners.

8. The consolidation of small districts into larger units for economy and better supervision. "No substantial progress," he asserted, "could be made so long as the district system existed."

9. The introduction into the curriculum of vocal music, history, geography, physiology and hygiene, and moral instruction. The reading of the Bible without comment was also recommended.

10. Insistence upon punctuality and regularity in attendance; the resort to compulsory attendance.

11. Higher compensation for teachers.

12. Uniform textbooks.

13. The enactment of stringent laws against child labor.

14. A longer school year, ten months being necessary for the best results.

15. More secondary schools with more state aid.

16. The abandonment of corporal punishment.

17. Provision for the education of defective and dependent children.⁵⁹

When one examines the above list of educational improvements advocated by Horace Mann, he cannot fail to recognize that Mann was truly an educational pioneer, thinking and planning far in advance of his times. In many respects, Mann was as modern as 1953, particularly in view of the fact that some of his recommended reforms have not yet become generally accepted but still remain educational ideals toward which to strive.

Contemporaneous with Mann and second only to him in his efforts on behalf of the promotion of the common-school movement was

⁵⁹Eby, op. cit., pp. 554-555.

Henry Barnard, who did for Connecticut and Rhode Island what Mann did in Massachusetts. Graduating from Yale at the age of nineteen, he studied law for some time and taught for a year in an academy. Then he toured Europe for several months, studying social, political, and educational conditions. After his return home, he became secretary of the Connecticut State School Board, and later held the same position in Rhode Island. He established the Connecticut Common School Journal and, knowing the value of such a publication for the educational profession, he inaugurated a similar organ in Rhode Island and also established in that state the Institute of Instruction, which was the first teachers' institute in the United States.

Barnard was less vocal and not so aggressive as Mann, but he was more of a scholar than was Mann. His works are still recognized as classics in the field of education. In 1855 he began the American Journal of Education, which contains thirty-two volumes on the history and theory of education. No other educator has ever equalled him in volume of writing and publication. In 1867 he was appointed to serve as the first United States Commissioner of Education and held office for three years. In this position, he gave national emphasis to his ideas for school improvement and for the reform of education.⁶⁰

⁶⁰Ibid., p. 556.

Transition from Private to Public Schools

Free, secular, public schools in the United States were retarded in their development by sectarian jealousies; by the practice of using public funds for aiding private educational undertakings; by the prevailing idea in this country—as also in Europe until 1870—that education was a legitimate public responsibility only when it was provided for poor children who otherwise would have no educational opportunities; by the generally accepted theory that general taxation for educational purposes was an undemocratic, cruel, and unjust practice; and by the tendency to encourage local responsibility in school support and control, with little help or directive from the state.⁶¹

The strongest opposition to the establishment of public schools in the United States came primarily from five groups:

1. From people living in rural areas who opposed the idea of paying taxes for the support of schools that, in most cases, were located so far away that their children could not attend. Also, the increased demand for education which was being made in the cities and towns had not yet arisen in rural communities; consequently, rural dwellers were still rather indifferent toward and unconcerned about the question of education.

2. From church groups that already supported parochial schools of their own, and that saw in the public school a threat to their own

⁶¹Knight, op. cit., p. 391.

educational systems which had been set up and were being operated at considerable expense.

3. From owners of private schools and academies whose livelihood and investments were threatened by the competition of free public schools.

4. From a sizable proportion of the well-to-do who planned to continue sending their children to private schools and who were opposed to paying taxes to make possible the education of other people's children in the public schools.

5. From unmarried individuals, married couples without children, and older couples whose children were already beyond school age, who were not at all enthusiastic over the idea of paying taxes for the support of schools when they themselves had no children who would benefit from the educational system thus maintained.⁶²

Monroe has formulated a rather detailed list of forces which opposed the establishment of free public schools. Although there is some slight duplication of the five opposing groups mentioned above, taken from Brubacher, Monroe's list is reproduced below in its entirety:

. . . (1) Chief among the forces in opposition must be considered the political attitude of the people, which looked with great suspicion upon any increase of power or in fact any

⁶²Brubacher, op. cit., pp. 552-553.

exercise of authority by the government, either local or central. The aversion to the exercise or to the authority of government in the collection of taxes was still very strong. These two forces were more fully operative and were influential for a longer time in the rural regions than in the urban, for in general the rural population made slower progress along political and social as well as along economic lines; (2) among minor forces were the aversion of large property holders or of the wealthy class to free schools, not only because of the objections mentioned above but because there was still no general belief that property of the rich was under any obligation to support the education of the poor; (3) the belief, still very general, that free schools exist for the poor only; (4) the fact that the small local area was the only condition of government under which free schools could be introduced at all; this made it difficult or impossible to distribute the income in an equitable manner, or at least in a manner satisfactory to the community, and resulted in neighborhood quarrels; (5) the too great dependence upon the common school fund or the rate bill; (6) the influence of the private school both as a vested interest of those who taught and as a class institution for those who patronized; (7) the indifference of the public officials, politicians, and of leading men; (8) in some localities, the opposition of religions denominations, particularly the Roman Catholic; this, however, was not of great significance and often resulted in a movement toward the public schools rather than away from them; (9) the indifference of the teachers hardly yet organized as a professional body and largely controlled even yet by those interested in private schools.⁶³

Although there was aggressive and widespread opposition to the idea of public free schools, there were, on the other hand, a number of well-known men in the country who espoused the cause of free education for the children of all the people. Among these champions of the public school, one of the most vocal was Daniel Webster of Massachusetts, who perhaps made more reference to the question of education

⁶³Monroe, op. cit., pp. 334-335.

in his speeches and writings than did any other public figure. His attitude was somewhat surprising to many of his compatriots, for Webster was known as a statesman with somewhat conservative ideas on most issues. But in regard to education, he exhibited the radical belief that property was vested with a public interest on behalf of education. On many occasions, he declared: "For the purpose of public instruction, we hold every man subject to taxation in proportion to his property, and we look not to the question, whether he himself have, or have not, children to be benefitted by the education for which he pays." He continued by saying of education, "We regard it as a wise and liberal system of police, by which property, and life, and the peace of society are secured."⁶⁴ Webster's popularity and his zeal for the cause of public education caused many opponents of the public schools to lessen their opposition or to change their attitude altogether.

While there was strong opposition to the establishment of public schools, there were, at the same time, certain powerful forces which were operating on behalf of the development of free schools. The battle between the two groups of forces was tit-for-tat, and for years there was uncertainty as to the ultimate outcome of the conflict between those who wanted free public schools and those who did not. Monroe

⁶⁴Brubacher, op. cit., p. 555; from The Works of Daniel Webster, I, 41-42.

has listed the forces which fostered the development of free public schools as follows:

. . . (1) The growing perception by the people of the true nature of democracy was undoubtedly the determining factor; connected with this was (2) their belief in the necessity of universal education as the sole condition upon which our republican government could succeed; (3) a demonstration that the school funds, public school societies, and similar means could not afford sufficient support; (4) the realization that neither the charity school nor the rate bill was either satisfactory in its working or sufficient to the end in view; (5) the fact that the population was still very homogeneous and that immigration had not greatly developed; in Pennsylvania, where there was still a large element alien in language and to a considerable extent in custom as well as in religious belief, this element was a retarding factor; (6) the influence of great leaders such as Mann and Barnard and of wise statesmen such as the Clintons; (7) the development of professional ideals which expressed themselves through teachers' organizations, conventions, and institutes, and the resulting formation of a teaching profession; (8) the creation in many states of educational officers having some centralized authority and thus becoming the mouth-piece for educational opinion, and the teaching profession; certain groups of people, such as the laboring class and the ministry, exercised very definite influence as did (9) the public press, together with public discussion.⁶⁵

In the face of strong opposition, the proponents of free public education gradually won their point, and slowly the American people came to accept the public school as the characteristic and most democratic means of educating the youth of the land. These schools in the beginning, however, were not noted for their educational efficiency. Many parents who might have been willing to accept the principle of the free

⁶⁵ Monroe, op. cit., pp. 335-336.

public school were attracted to the private school because of the superior quality of instruction usually to be found there. Others who deplored the lack of religious instruction in the public schools might send their children to private or parochial schools in which the tenets of their particular faith were emphasized. Still others continued to patronize the private school because they could not accept the principle of social equality which the public school implied and emphasized, or because they believed that education at public expense was a form of charity, to which they objected. At the same time, succeeding waves of immigration of Europeans of different nationalities from those of the original settlers found these people becoming ever more determined that their children should not attend an equalitarian school—that is, a public school, where differences in social and economic status were not recognized. They feared that their children's language, health habits, manners, and morals would be contaminated and corrupted through unwholesome associations in the public school, either with foreign elements or with native Americans who for one reason or another were considered objectionable.⁶⁶

One of the chief reasons for the persistence of the private school was to satisfy the demand for religious and moral instruction beyond what could be offered in the public school. Prior to the general establishment of public schools, nearly all private schools included religious and

⁶⁶Brubacher, op. cit., p. 560.

moral instruction as a matter of course. While the private school could cater to sectarian preferences, the public school could not. Because the public school was the servant of the whole public, it had to exclude from its curriculum controversial topics like religion, the teaching of which might give offense to some segment of the population. As a result, private schools to emphasize religion not only persisted, but were also energized to multiply by the inauguration of public schools.⁶⁷

The most frequent argument for the acceptance of the idea of having public schools supported wholly by taxation was the claim that education would eliminate delinquency and crime. Horace Mann employed this point repeatedly to bring about improvements in the schools. He was firmly convinced that the greatness of the common public school lay not only in its ability to bring education to everyone but also in its power to prevent children from becoming criminals, which prevention was far better than trying to reform them after they had already developed delinquent or criminal attitudes and behavior. This argument was employed in all of the states as a means of promoting the acceptance of public schools.⁶⁸

The transition from the private and parochial school idea to the public school idea was a difficult one and had different manifestations in different parts of the country; but no matter how different the situations were there were three crucial arenas in which the battle had to be fought. First and foremost was the struggle to achieve the principle that truly public schools must be free to all children and therefore must be supported by general taxation. This was the hardest of all to win, for it meant that the taxpayers would be obliged to dig into their pockets for returns

⁶⁷Ibid., p. 561.

⁶⁸Eby, op. cit., p. 560.

that were not always immediately visible. Second, the fight to broaden the scope of the administrative unit of control and support from the local district to a state-wide basis had to be won in order to provide decent schooling for all the children of a state. Third, the public schools had to be freed of sectarian religious control if they were to strengthen the common bonds of democracy among all people rather than divide them on ideological grounds. Any one of these battles would have been hard enough to win separately. When they were combined, the task assumed gigantic proportions. But the battle was won.⁶⁹

It is not necessary to emphasize the fact that the public schools that were first established were scarcely comparable to the elaborate and gigantic public schools which are now prevalent in the United States; and their very simple curriculum of reading, writing, and arithmetic could in no way foretell the well-rounded and extensive areas of study which are now available to pupils attending the public schools. At that time the important consideration was the fact that the idea of universal education at public expense was finally accepted as a significant part of the American way of life. At the same time, agitation for public schools was virtually world-wide, and by the end of the nineteenth century, some form of public education had been organized in almost every independent country in the civilized world.⁷⁰

⁶⁹ Butts, op. cit., p. 473.

⁷⁰ Eby, op. cit., p. 545.

In the United States, an important battle was won when legislation established public schools; it remained for the future to develop these schools to their highest potentialities.

CHAPTER III

HISTORY, GROWTH, PHILOSOPHY, AND CURRICULUM OF THE PAROCHIAL SCHOOL IN THE UNITED STATES

Protestant Parochial Schools

When the term "parochial schools" is mentioned, the thought which usually comes to mind is that of special school systems established, maintained, and operated by the Roman Catholic Church. It is true that the parochial schools maintained by the Catholics are by far the most numerous in the country; in fact, in 1948, there were more than seven times as many Catholic schools in the United States as there were parochial schools maintained by other denominations. But the Catholics have never had a monopoly on parochial education, although within the past half century there has been a pronounced tendency for Catholic parochial systems to experience almost sensational increase in numbers while the parochial school systems maintained by the various Protestant denominations have been suffering steady decline and disappearance, as will be shown later in this chapter. Suffice it to say here that the period of the First World War and

for a few years thereafter witnessed the greatest growth in parochial schools among the Protestant denominations, when approximately thirty such religious groups operated from one to one hundred parochial schools each. In 1948, however, the number of Protestant denominations operating parochial schools had dropped to six.

During the early years of American history, most of the national leaders desired that religious emphasis should be placed on all programs of education. At that time, the doctrine of separation of church and state, which had been fundamental in the establishment of the American Republic, had not been developed to the point of the general recognition of its implications. Many leaders, regardless of whether they were prominent in public affairs, in the church, or in the field of education, believed that the Bible should be universally studied in the schools because it was believed to contain the great and fundamental truths of the Christian faith upon which the new nation had been founded, because of the fact that knowledge of its contents would prove a great blessing to all in old age as well as throughout life, and because the Bible "breathes the soul of democracy (equality of men, respect for just laws, and the sober and frugal virtues)."¹ Most early American leaders felt that religion should be accorded a pre-eminent place in all education and only in secondary position

¹Charles H. Moehlman, School and Church, p. 65.

should be considered such factors as love of country, recreation, the manual arts, reading, writing, and arithmetic, modern languages, public speaking, history, and chemistry.

Well into the nineteenth century, the churches continued to play a leading role in planning and guiding the direction of education, and local ministers were deeply concerned in such matters as the employment of "proper" teachers, methods of teaching, and the development of morals within the young. For such a church-dominated program, these ministers expected, and received, financial support from the government. In New York, for example, in 1801, eleven Protestant bodies received proportionate shares of public money in accordance with the terms of legislative enactments of 1795 and 1799.

In these early schools, it was not necessary to turn to the Bible exclusively for religious materials to be used in the program of instruction, for reading books taught the creation of the world according to the Genesis account, the story of David and Goliath, and numerous other events and stories taken entirely or partially from the Bible, but rewritten in more modern narrative form. Even in the public schools, which in reality were not "public" at all in the present-day sense of the word, materials used in teaching reading were similar or identical to those used in the church schools, and were primarily religious and moral in context.

When public education came to be generally accepted as a part of the American way, Protestantism at first thought in terms of church supervision of the grammar schools rather than in terms of a hands-off policy in regard to education. When it became apparent that such church control and supervision were impossible under the new concept of public education, many Protestant leaders became aggressive enemies of public tax-supported education and preached against it as a "work of the devil." Being barred from exerting any influence upon the public schools, various Protestant denominations began to establish their own parochial schools in greater and greater numbers. By 1917, as has already been mentioned, there were more than thirty different Protestant denominations which operated their own schools, in varying numbers. Since it would be impossible to discuss all of these various Protestant parochial systems of education, and since the history of all of them is very similar, we will consider the efforts of the Presbyterian denomination to establish and maintain parochial schools, for the parochial system set up by this denomination can be accepted as typical of all such systems established by the various Protestant groups; and, at the same time, the Presbyterians have been one of the leading non-Catholic religious groups in the number of parochial schools established and maintained.

During the period which elapsed between the establishment of the early settlements in America and about 1850, a trend was developing

which was of much concern to the churches. This trend was known as the secularization of education—a term covering the double process of gradual removal of formal religious content from the curriculum of the common schools and the change in control from that exercised, in the main, by the churches, to a type of control exercised by the state and by the local community. This process of secularization had been slow and gradual, and became so firmly recognized as a fundamental principle in American education that the churches regarded it as a pernicious influence which would undermine morals and destroy Christianity. The Presbyterians, like all religious groups, both Catholic and non-Catholic, were greatly concerned over this gradual but persistent secularization of education. It was argued that, unless ways could be found for the teaching of religion in the common schools, a large part of the population would grow up in total ignorance of religion. In an address delivered before the American Bible Society in 1839, Dr. A. J. Breckridge "pleaded for the restoration of the Scripture to the schools; holding that the exclusion of religion from the schools was due to 'the spirit of Popery,' 'the spirit of Indifferentism,' and 'the spirit of Infidelity.'"²

Before a convention of the American Sunday School Union, held in 1833, Dr. Charles Hodge contended that with the exclusion of the

²J. L. Sherrill, Presbyterian Parochial Schools, p. 14.

Bible from the schools, children were being brought up more under the influence of "heathen minds and models" than under the influence of the noble teachings and precepts of the Scriptures. The board of trustees of the Elkton Presbyterian Academy in Kentucky, in 1830, issued a pamphlet of information regarding the academy, in which the statement was made that "hundreds of our most promising youth return periodically from the public schools, not only greatly deficient in sound literary accomplishments, but confirmed in idle, vicious, and disgraceful habits."³

At a meeting of the Synod of New Jersey in 1844, a resolution was adopted which called to the attention of the Presbyterian Church in that state the fact that Christian education was being deplorably neglected, and calling for the appointment of a committee for studying the problem and suggesting measures to be taken to remedy the situation. This committee, of which Dr. J. J. Janeway was the chairman, brought in its report in 1845. The report as submitted contained further evidence of concern over the secularization of education, in these words:

A race of irreligious and infidel youth, such as may be expected to issue from public schools, deteriorating more and more, with revolving years, will not be fit to sustain our free institutions. In such hands they will first

³Ibid.

be thrown by anarchy into wild confusion; and then engulfed in one or more military despotisms.⁴

The report concluded with the recommendation that each Protestant denomination should establish and conduct its own schools as a means of sidestepping the increasing secularism in public education, and that taxpayers should be permitted to designate the schools to which that portion of their tax payments allocated for the support of education should be paid.

Let all the churches of every denomination, in our country, engage in this great enterprise. . . . And then citizens . . . may seek an alternate in the law. They may, with a fair prospect of success, apply for a Rule of the State, that every taxpayer, that every man, when he pays his tax for education, may signify to what denomination of Christians it shall be applied. . . . If any should decline exercising their privilege, their money would be entirely at the disposal of the State.⁵

By the year 1847, the Presbyterian denomination had made up its mind that definite action of a drastic nature would have to be undertaken. In that year the General Assembly of the Presbyterian Church voted to inaugurate a system of parochial schools, and in the following years over 250 Presbyterian parochial schools were organized in twenty-nine states and in the District of Columbia.

⁴J. J. Janeway, "Report to the Synod of New Jersey on the Subject of Parochial Schools," p. 5, as quoted in Sherrill, op. cit., p. 14.

⁵Moehlman, op. cit., p. 67.

The Presbyterian school system—as were all Protestant parochial school systems—was founded upon the principle that the Christian religion should permeate all of the studies afforded by the schools. For the accomplishment of this purpose, two means were necessary:

(1) a suitable curriculum and (2) Christian teachers adequately prepared to assume the task that confronted the denomination.

When the First Report on Parochial Schools was submitted to the General Assembly in 1847, this report contained no carefully thought-out program or curriculum. It more or less stated what had to be done for combatting secularism in education, but had very little to say about how these goals could be accomplished. The report, however, did recommend that the General Assembly refer the matter of textbooks to the Board of Publications for study and report. Overtures began to come in to the General Assembly from church courts and from state synods, asking help on the matter of textbooks to be used in the new parochial schools. Individuals wrote to the Board of Publications requesting suggestions regarding textbooks. For several years, the result was the same: the Board had no policy; it was not in a position to recommend suitable textbooks; the secretary had not yet given thorough study to the question; and the matter was bandied about between the Board of Publications and the Board of Education, with neither assuming any real responsibility or taking any vital interest

in the problem. The system of parochial schools was being promoted aggressively by the energetic Presbyterian denomination as a means of counteracting the tendency toward the secularization of education; but no serious effort was being made to remedy the defects and to provide curriculum and textbook materials in keeping with the purposes of the new schools. Little or nothing was done to provide the church with persons who were competent to take charge of the schools. In numerous cases, the schools already in operation were taken over by the local churches and became Presbyterian parochial schools, usually with the same teaching staff that they had had before they became church schools. However, a little progress was made in the direction of making teachers available who were more competent to assume their new responsibilities in the Presbyterian parochial schools. A "Teacher's Fund" was set up in the funds of the Board of Education, and several young men were aided from this source in receiving training that would equip them to teach acceptably in the parochial schools of the denomination. This special provision for educational assistance did not, however, meet with general approval, and was regarded in the South as a "dangerous innovation."⁶ For the most part, the teachers in the parochial schools were ministers who had already been trained in a knowledge of the Scriptures and in the principles of morality.

⁶Sherrill, op. cit., p. 55.

Within a few years after the authorization of parochial schools—by 1854—a noticeable decline began to occur in the number of such schools reported by the Presbyterian Church. This decline was due largely to the fact that ministers, already burdened with the heavy work of their pastorates, objected to the additional task of conducting the parochial schools. For many, the additional responsibility was entirely too much, and the meager financial support of the schools was wholly inadequate. The source of educational funds was limited; from 1847 to 1869—a period of twenty-two years—the total contributions received for the support of Presbyterian parochial schools amounted to only \$118,953.

There were other reasons, too, for the decline of the parochial system of education supported by the Presbyterian Church, and by other Protestant groups. The quality of the education offered by these schools did not compare favorably with that made available in the public schools; the control of education was passing overwhelmingly into the hands of the state; tuition required by the parochial schools was often left unpaid; and the general sentiment throughout the country was shifting to the belief that all children should be educated in the public schools as an essential phase of American democracy.⁷

Officially it was stated in 1867 that one of the dangers of the parochial system was neglect of, or hostility toward, the common

⁷Moehlman, op. cit., p. 68.

school system of the country. Such opposition to the public schools might bring about retaliation on the part of public authorities who might, by legislation, bring about the destruction of the parochial schools or so limit their functions that they might as well be destroyed. Dr. McCosh of Princeton Theological Seminary, a Presbyterian school for the training of ministers and missionaries for the denomination, addressed the General Assembly during the Semi-centennial Celebration of the Board of Education in 1869. In his address, he expressed the conviction that it was not the function of the church to control educational institutions directly. He said, also, that a church court was not any better fitted for managing a school than for conducting a factory or an infirmary. He was convinced that it was not the duty of the church to conduct a system of education in opposition to the national and state systems of public education; church schools, rather, should support and complement all plans for public education. Coming on such an occasion, this was almost an official expression of the view that was coming to be generally prevalent. And Dr. Speer, corresponding secretary of the Board, in reviewing the Board's work for the preceding fifty years, regarded the parochial venture as a failure. He closed his address with this remark:

Some of the most observing leaders of the march of mind among our brethren . . . have proclaimed that its mission is ended, and that a new order of things is needed to save the masses, and to meet the progress of democratic

ideas of government which are now upheaving society. It becomes us, then, thoughtfully and prayerfully to consider towards what course the all-wise Head of the Church points us.⁸

The parochial system of education of the Presbyterian Church had failed, and this statement was official recognition of its failure. At this point, the question logically arises, Why did the system of parochial schools set up by the Presbyterian Church and by other Protestant denominations fail to produce the desired results? Sherrill believes that there were several reasons for the failure of parochial schools. A considerable portion of the blame can be placed on the curriculum of religious education employed in these schools. Strange to say, the parochial schools made no distinct or outstanding contribution to the purpose for which they were established, that is, the teaching of the Christian religion in the schools, especially at the elementary level. Church schools spent most of their time and effort in arguing about the particular levels at which Christian instruction should be given, in discussing questions of the organization of the instructional program, and never made any serious inquiry as to what was to be taught or how it was to be taught. In their teaching, they were much concerned that the pupils should memorize and master the words of the Scriptures and verbatim statements of doctrinal interpretations, but

⁸Sherrill, op. cit., p. 67.

they gave little thought to whether or not there was any understanding of what was being taught and memorized.

The organization of the instructional program was not well planned. The parochial system, as stated previously, was established as a means of keeping religion in education; but, strange to admit, no systematic plan was formulated, either in the beginning or later, for rendering aid to the schools in accomplishing their chief aim. "Ministers and teachers were to place much dependence on the Holy Spirit; beyond that they were largely left to shift for themselves."⁹

In addition to these important factors related to the decline of the Protestant parochial school system in general and the Presbyterian system in particular, there was almost universal apathy throughout the church as a whole regarding the parochial-school movement. The great majority of the churches apparently cared little, for or against the parochial schools; and from the South came organized opposition to the system from within the churches themselves. Although this opposition was limited in scope, it was nevertheless vigorous and aggressive, and it was so well directed that it proved effective in paralyzing the efforts of the denomination's headquarters to expand the parochial system, especially in the South.

At the same time, competition with other schools—that is, with public schools maintained by the state and/or by local communities—

⁹Ibid., p. 75.

had its effect. Parochial schools were thrown into competition with other schools, both private and public, and the result was that the local church which rendered moral and financial support to the parochial school was to some extent arrayed against the rest of the community. After truly public schools came into existence, the parochial school could not continue to operate without doubling the cost of education for its patrons, who now must pay taxes for the support of public education and tuition for the maintenance of the parochial school.

Moehlman believes that until Protestantism develops voluntary disciplined teaching orders, properly trained Protestant teachers of religion and the Bible will not be available in any appreciable numbers. He further points out that, for the most part, the teaching faculties have been weak in the parochial schools, since their degree of preparation and the quality of their instruction have been somewhat inferior when compared with the public schools.¹⁰

As have gone the parochial schools maintained by the Presbyterian denomination, so also have gone those established and supported by other Protestant groups. Here and there, throughout the country, one may still find a few Protestant parochial schools, but for the most part, they have disappeared within the past thirty years. For all of the

¹⁰Moehlman, op. cit., p. 70.

denominations, virtually the same principles were responsible for the establishment of parochial systems of education, and the same factors brought about their decline and their disappearance until now it is the exception rather than the rule to find a parochial school maintained by any Protestant denomination.

History of the Parochial Educational System of the Catholic Church

The parochial school system of the Roman Catholic Church had its beginnings approximately five hundred years after the dawn of the Christian era. It was shortly after the fall of the Roman Empire that the Catholic Church first began to manifest a strong interest in education. At a time when the general disruption of the social, political, and economic organizations of society was bringing widespread confusion into all areas of human life, educational efforts—both public and private—suffered along with all the other institutions of society. Widespread disorganization of education that resulted from the destruction of Roman power gave the strongest organization remaining—the Roman Catholic Church—an opportunity to step into the breach. At first, the church took an interest in education not so much for the purpose of cultivating learning for its own sake as of training leaders for discharging lay and professional duties in the church and also for the civil responsibilities that the church offered to undertake during

this period of chaos and disruption in governmental functions, resulting from the disintegration of political authority. Later, during the Dark Ages, it was the Catholic monasteries whose interest in education managed to keep the flickering light of learning from being extinguished altogether. ¹¹

Parochial and monastic schools maintained by the Catholics were firmly established and flourishing in Europe before settlements were made in the New World. But with the coming of settlers to the land that was to become the United States, the Catholic Church soon came, too, with its ritual of worship, its hierarchy, and its educational system. Of the religious or church-supported and controlled school systems which have from time to time been established in the United States, the Catholic parochial system has been by far the most extensive and the most significant. In 1847, as has already been stated, the Presbyterians established a parochial system of schools, and before long this denomination had 350 schools in twenty-nine states. But the parochial system of the Presbyterians was virtually dead by the conclusion of the Civil War, and was never revived. The same was true, by and large, of other Protestant parochial systems of education. The Lutherans, however, were somewhat more successful in founding and maintaining their parochial schools than were other Protestant

¹¹ John S. Brubacher, A History of the Problems of Education, pp. 537-538.

groups, since in 1936 they accounted for 180,000 of the 275,000 pupils then attending Protestant parochial schools in the United States.¹²

When agitation for public schools became general, Catholics found it necessary to formulate a twofold policy. In the first place, they tried to achieve Catholic educational aims with the aid of public funds. To accomplish this purpose, they applied for, and often received, subsidies from the states' or the cities' common school funds to aid in the operation of Catholic schools. They were not alone in this respect, for, before the establishment of all-out plans for education at public expense, states permitted subsidies to be granted to church-affiliated and other types of private schools. This practice represented a transition from private to public educational systems. In New York City, the Catholics made their first appeal for public aid for their schools. In that city, it had long been the practice to distribute the common school funds among various private agencies offering education to the public. For a time, Catholic schools in New York City were subsidized in this manner, just as were many Protestant schools; but when it became generally known that Catholic schools were receiving benefit from the public school funds, old religious animosities were revived and a storm of protest arose. At the same time, it was feared that the disbursement of public school funds would

¹²Ibid., pp. 561-562.

become increasingly ineffective as they were divided into smaller and smaller amounts among more and more applicants for aid. Finally, in order to settle the rising controversy, the New York State Legislature decided in 1842 to discontinue all subsidies to private schools and to devote all funds to a system of public schools. Other states, faced with the same problem, soon took similar action, thus ending the Catholics' hope to conduct their schools with the aid of public funds.

Shortly after this action was taken in New York, a new approach by the Catholics was made in Poughkeepsie. In that city, the public school authorities rented, for school purposes, a building formerly occupied by a large Catholic parochial school, which had been forced to close when public aid was withdrawn. In curriculum, textbooks, and teaching methods this school was to be like all other public schools in the state and was to be open always for inspection and supervision by the local school superintendent and the board of education. The Catholics, however, in return for the use of their building, insisted that religious instruction should be given each morning before school formally opened, but they conceded that no such instruction should be given during school hours. At the same time, the Catholics tactfully suggested that members of their teaching orders would be available as faculty members if their services were desired. Since the Catholic teachers were much better trained than were most other available persons, almost 100 per cent of the faculty were members of the

Catholic teaching orders. It was agreed that they should retain their positions and be paid from the public school funds as long as they passed the required examinations and did effective teaching—which, for them, were easy demands, indeed. This plan, although it provided a public school operated from public funds, actually represented a victory for the Catholics. By means of the early-morning period of religious instruction, given by Catholic teachers, children of this faith could receive instruction in Catholic doctrines and at the same time be educated at public expense. Children who were non-Catholics could delay coming to school each day until the early period of religious training had been concluded. Of course, the amount of religious instruction was much less than that offered in parochial schools, but it appeared to satisfy the Catholics. This system, which came to be known as the Poughkeepsie plan, worked satisfactorily in that city for a quarter of a century. It was tried with varying degrees of success in many other cities, and modified versions of it are still in use in many areas—sometimes with a high degree of success and with mutual satisfaction on the part of all parties concerned. But often the plan is abused by Catholic teachers who seek to impose their doctrines upon non-Catholics. In such cases, the plan becomes a source of bitterness, contention, and prejudice.¹³

¹³Ibid., pp. 561-563.

The second phase of Catholic policy formulated at the time that agitation for public schools became general was that of greatly expanding the parochial schools which were directly under Catholic control and maintenance. The Catholic Church redoubled its exertions in promoting its own private, or parochial, school system. In fact, the church aggressively opposed the public school movement as it became increasingly certain that the church was losing in its battle, both in Europe and in America, to make Catholic religious training a part of the public school curriculum. Alarmed at the trend away from Catholicism and toward secularism in education, Pope Pius IX in 1864 issued a papal decree condemning the public school movement and bitterly censuring it for its attempt to separate the people from the Catholic faith. A decade later, a decree was issued to American bishops by the College of Propaganda at Rome, insisting that, as a principle of both natural and divine law, attendance of Catholic children in the public schools should be explicitly forbidden. The American bishops were broadminded enough to realize that this principle could not be universally enforced, for there were many areas in which Catholic schools were not accessible. Therefore, the bishops interpreted the decree to mean that Catholic children must attend parochial schools if they were available; if not, they might continue as pupils in the public schools until the church could make adequate provisions for their

"proper training." The result, of course, was a tremendous increase in the number of Catholic parochial schools in many sections of the country.

In 1884, the Third Plenary Council, convening in Baltimore, expanded this general policy into specific directives, as follows:

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

.....

IV. 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 sufficient cause, approved by the bishop, and with opportune cautions and remedies. As to what is a Catholic school, it is left to the judgment of the Ordinary to define.¹⁴

This policy is still in existence, without substantial change or modification.

In 1890, about one third of all Catholic children from five to seventeen years of age were enrolled in parochial schools, and fifty years later, in 1940, the number of Catholic children in this age range enrolled in Catholic parochial schools represented approximately one half of all Catholic children of these ages in the United States.¹⁵

The development of the Catholic parochial system of private schools would seem to have been thoroughly in

¹⁴Ibid., p. 563.

¹⁵Ibid., p. 565.

harmony with the American conception of religious freedom as embodied in the Federal Constitution. Moreover, the development would also seem to have been democratic, if democracy be taken to mean freedom to cultivate different cultural outlooks, as the patrons of socially select schools have claimed. But it must not be overlooked that freedom of this sort has also led to segregation among children and the isolation of some of them from others. Consequently, many friends of the democratic faith have been genuinely perturbed at the way in which private schools raise cultural barriers to democratic intercommunication.¹⁶

The American Catholic educational system is a complete unit

. . . that is closely integrated with a great religious ideal. From kindergarten to university, the goal is the same at all levels—to furnish the finest kind of education in a thoroughly Christian atmosphere, to produce students who will be a credit to their divine faith and to the great republic in which they live. American Catholics support their school system at great personal sacrifice; they do so because of their faith in God and their desire to live in a manner pleasing to Him. They strive continuously to make their schools educationally effective, philosophically sound, and religiously integrated. The measure of their success is found in the capable scholars and citizens who have come from this great educational system.¹⁷

The failure of the state to provide religious instruction and training in view of the fact that any religious training that might be offered might not be acceptable to members of all denominations, explains to a certain important extent the establishment of schools supported by religious bodies. The Catholic school system, the largest and most extensive of all, had its origin in America in colonial times.

¹⁶Ibid., p. 566.

¹⁷Don Sharkey, These Young Lives, Foreword.

The growth of its elementary schools has been keeping step with the growth of the church itself. Dr. J. A. Burns, the historian of the Catholic school system, says:

As a matter of fact, the foundation of the Catholic parish school system in the United States dates from the early years of the Maryland colony. It represents, therefore, a development covering a period of over 250 years. Broadly speaking, we can distinguish two great periods in its development—the first, extending down to the time of the Revolution, and the second, from that epoch-making event to our own day. The salient feature of its growth throughout the whole time is its dependence upon the growth of the Church in general. A direct relation existed between the development of the Church and the development of Catholic schools. We can see proof of the existence of this relation during the first period in the fact that wherever Catholic settlements are formed and Catholic life reached any degree of maturity, Catholic schools were set up and a corresponding educational development took place. In settlements where Catholic life was weak or short-lived, either no schools were established, or those that were had only a short or desultory existence. In the post-Revolutionary period the relation is even more clearly illustrated.¹⁸

In the days when the Republic was young, the Catholic schools were opened as free schools in large cities like New York and Baltimore, wherever the parish finances permitted such to be done.

The bishops of the Catholic Church discussed the parish school in the First Synod of Baltimore, in 1791, and in the First Provincial Council of Baltimore, in 1829, they decreed as follows:

Since it is evident that very many of the young, the children of Catholic parents, especially the poor, have been exposed and are still exposed, in many places of this

¹⁸J. A. Burns, The Catholic School System in the United States, p. 14.

province, to great danger of the loss of faith or the corruption of morals, on account of the lack of such teachers as could safely be intrusted with so great an office, we judge it 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.¹⁹

Consequently, the First Provincial Council of Baltimore, in 1829, ordered the establishment of Catholic parochial schools wherever possible.

Until 1808, the diocese of Baltimore encompassed all of the territory included within the bounds of the United States. At that time, there were only a few Roman Catholics in Massachusetts, all of whom were members of one congregation, located in Boston. By 1829, the Roman Catholic population percentage in the United States had increased to 2.8 per cent of the total population. A large-scale Irish immigration was taking place and Catholics were therefore on the increase, especially in the larger centers of population. By 1852, 7.4 per cent of the total population was Catholic throughout the country as a whole, and by 1866 the ratio had risen to 12.1 per cent.²⁰

During these early years, the Catholic population was hard-pressed in its efforts to provide schools as well as churches for its own people, and another problem was the difficulty of obtaining enough qualified and competent Catholic teachers, apart from the

¹⁹P. J. McCormick, History of Education, p. 386.

²⁰Moehlman, op. cit., p. 70.

priests, who were often required to teach the schools in addition to their regular parish duties, as had been the case with Protestant ministers, also, when the various Protestant denominations established parochial schools. However, the introduction of the teaching orders to America soon solved the problem of teachers for the Catholic parochial schools. Also, the heavy influx of Irish immigrants brought with it many Brothers and Sisters of the teaching orders, who usually were immediately engaged for carrying on the work of the Catholic schools. At the time of the Second Plenary Council of Baltimore, held in 1853, despite the difficulty of obtaining all the teachers necessary, the bishops were exhorted by the Council as follows:

We exhort the bishops, and in view of the grave evils which usually result from the defective education of youth, we beseech them through the bowels of the mercy of God to see that schools be established in connection with all the churches of their dioceses; and, if it be necessary and circumstances permit, to provide from the revenues of the Church to which the school is attached, for the support of competent teachers.²¹

After 1850, three factors, in particular, influenced the growth of the Catholic school system in the United States. Tax-supported public education, accompanied by diminishing appropriations of state funds for the support of sectarian schools, became a reality. There was a vast Irish and German Catholic immigration to America.

²¹ Moehlman, op. cit., p. 71.

Ecclesiastical legislation demanded the general establishment of parochial schools. On the Catholic side of the picture it was argued that Catholic children were necessarily excluded from public schools because Catholic religious training was not available to them in those schools.

In the Second Provincial Council of Cincinnati, held in 1858, it was decreed:

It is the judgment of the Fathers that all pastors are bound, under pain of moral sin, to provide a Catholic school in every parish or congregation subject to them, where this can be done; and in order that each Ordinary may know what are the parishes in which the obligation exists, they decree that the Tridentine Law, S. XXII, C. IX, is to be practically enforced, by which the rectors of churches are required each year to render an exact account to their Ordinaries of all the revenues accruing to their churches in any way, which they therefore strictly enjoin as to be observed by the aforesaid rectors.²²

On July 14, 1864, Pope Pius IX promulgated instructions covering American public education, censuring it relentlessly, and urging attendance in parochial schools of all children of Catholic parents. He went further to say that Catholic parents might commit their children to the public schools but only in case of sufficient reason, which sufficient reason must be submitted to the "conscience and most careful judgment of the Bishops." Sufficient reason for permitting attendance

²² McCormick, op. cit., p. 387.

in public schools was usually conceded to exist when either there was no Catholic school accessible or the school at hand was not fitted to give the children "an education suited to their condition and circumstances."

But all parents who neglect to give their children this necessary training and education, or who permit their children to frequent schools in which the ruin of souls cannot be avoided, or, finally, who, having in their locality a good Catholic school, properly appointed to teach their children, or having the opportunity of educating their children in another place, nevertheless send them to public schools, without sufficient reason and without the necessary precautions by which the approximate danger may be made remote—these, as is evident from Catholic moral teaching, if they are contumacious, cannot be absolved in the Sacrament of Penance. ²³

By 1884, there was no doubt remaining as to what steps parents must take in educating their children. The Third Plenary Council of Baltimore, in 1884, which had been the directing authority during the period of the greatest development of the parish schools, ordered:

Therefore, we not only exhort Catholic parents with paternal love, but we also command them with all the authority in our power, to procure for their beloved offspring . . . a truly Christian 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 perhaps be permitted otherwise. ²⁴

²³ Moehlman, op. cit., p. 72.

²⁴ McCormick, op. cit., p. 388.

In the same pronouncement, due allowance was made for those parents who for "sufficient cause" did not send their children to the Catholic schools.

By means of its decrees touching upon the supervision of the schools by the pastors, the training of teachers in the normal schools of their novitiates, and the certification of teachers, both religious and secular, this council laid the foundations for the development, in organization and administration, of the present-day system of Catholic parochial schools.

In the years since the early 1800's, Catholic education has had a remarkable expansion in the United States. At the beginning of the nineteenth century, parochial schools were the exception rather than the rule, even among Catholics. Since then, however, the number of parochial schools has grown by leaps and bounds in all sections of the country where there are sufficient Catholic residents to support such schools. This expansion in the parochial system has largely been due to the church's attempt to offset and counteract the growth in the public schools of what it has termed "the insidious influence of secularism in education." As the public schools have placed less and less emphasis upon religious training and have outlawed it by procuring prohibitive legislative enactments, the Catholic Church has rallied to the cause of religious education in conjunction with

academic training and has therefore placed renewed emphasis upon the establishment of new parochial schools and the improvement of those already existing. The goal in mind, of course, is the proper religious training and indoctrination of Catholic youth in the precepts and dogmas of their faith.

While the decline of religious education in the schools led to the popular notion that the state should be the primary educational agent, the establishment of state systems of public schools brought about further decline in religious training in the schools. Thus, the two processes were interdependent and interacting. Catholics, however, have continued to maintain that the whole idea of the supremacy of the state in education is erroneous and fallacious. This is true because Catholic doctrine clearly recognizes the fact that the parents, the church, and the state are, or should be, equally concerned in the education of the youth. Thus has come about the emphasis upon parochial schools, in which this doctrine of the triple responsibility for education can be developed and put into effect.

According to Catholic concepts,

The parent is charged by divine and natural law with the responsibility for the material and spiritual well-being of his children. . . . Upon the parent, therefore, devolves the right and duty of education. . . . His responsibility is prior to that of the state, the province of which is simply to encourage and aid education, as well as making up for the default of some parents in educating their children.

. . . .

Since . . . education is essentially a spiritual function, the control of the education of her own children rests ultimately with the Church. This does not mean the state has not the right to establish schools. . . .²⁵

Development of Organization Among Catholic Parochial Schools

Many of the earliest efforts in Catholic education in this country were unrelated to each other and individual and local in nature. Before the formulation of a general policy toward education on the part of the Roman Catholic Church, local churches, usually under the inspiration and motivation of their priests, might establish a school to serve the educational needs of Catholics in the community. In these cases, the initiative was entirely local in character, since there were no pronouncements or orders from higher authorities in the church saying that the local church must provide for the education of children of the congregation. Later, of course, such pronouncements were issued, and the number of parochial schools increased in great numbers under the impetus of the accepted policy of the church.

In colonial days, the chief source of teachers for the Catholic schools were members of the religious teaching orders of the church, but at that time there were few of these persons in the new land. Consequently, the priests had to do most of the teaching. Although the number of qualified Catholic teachers was greatly increased by

²⁵Burns, op. cit., p. 155.

immigration from Europe, the number of teachers was not adequate to meet the needs of an increasing school system. Therefore, Catholic schools for the training of teachers for the parochial schools were established in America.

In spite of periodic increases forthcoming when new pronouncements were handed down in relation to the education of Catholic youth, the parochial schools have developed, in the main, slowly and deliberately; and most of the growth has come from the bottom upward, rather than emanating from some central authority. Ultimately, of course, central authority was established for the control of education, but in the beginning and for a long time thereafter, local efforts characterized the program, with encouragement from higher authorities, but no mandates. In respect to its slow growth from local authority to centralized control, the Catholic parochial school resembles very closely the public school.

Within the local parish, the priest or pastor of the parish is the ordinary and immediate representative of the diocese in the management of the school. The pastor has the responsibility of seeing that a school building is erected and properly equipped and furnished; he sees to it that school is conducted in this building; and he also employs the teaching staff. All such transactions are carried on with the knowledge and approval of the bishop of the diocese. In addition

to these duties connected with the school, the pastor is by right the principal of the school, but usually he exercises this responsibility only in part. Ordinarily, he supervises the teaching of religion in the school, if he does not do the actual teaching himself, which is often the case. He also bears the responsibility of providing for the material and moral support of the school. As a rule, the pastor delegates much of his authority to his curate and to the religious superior, who becomes in actual practice the principal of the school. The degree of activity of the pastor in the conduct of the school depends largely upon the extent of his professional training and ability in the field of education.

In 1950, there were some 2,448,000 children who were receiving their elementary education in the Catholic parochial schools of the United States. There were 8,589 such schools, staffed by 66,525 faculty members. Of this number, 4,747 teachers were members of the laity.²⁶

Most of the parish schools offer instruction for the first eight grades, and some have kindergartens. The junior high school is rare in the Catholic system of education.

The per-pupil cost of education is much lower in the parochial schools than it is in the public schools, primarily because of the

²⁶United States Office of Education, Biennial Survey of Education in the United States, 1948-1950, pp. 114-115, 111-113.

differences in salary schedules for teachers. Even though the salaries paid to teachers in the public schools are often considered to be wholly inadequate, those received by teachers in Catholic schools are much smaller, largely because such teachers are made to regard their teaching as a religious mission and a spiritual duty and consequently, in most instances, are paid only enough to meet the expenses of simple living. The salaries, though, are not so low as they appear on the surface to be, since most of the Catholic schools are conducted by members of religious teaching orders who live in teachers' quarters at the school or near-by and who receive their room, board, and utilities in addition to their meager salaries. The cost per pupil attending Catholic elementary schools in 1947-1948 was \$60.00.²⁷ At the same time, the cost per pupil in average daily attendance in the public schools was \$202.81,²⁸ while in Texas the cost per pupil in the public schools for the year 1949-1950 was \$165.93.²⁹

A majority of the parish schools are conducted by communities of Sisters, but a few are conducted by Brothers. Earlier in the century, the Brothers played a much more important role in Catholic elementary education than they do today. As high schools developed

²⁷Sharkey, op. cit., p. 22.

²⁸Paul R. Mort, Public School Finance, p. 7.

²⁹Texas Almanac and State Industrial Guide, 1951, p. 421.

as a part of the Catholic parochial school system, the responsibility for conducting these schools was assumed largely by the Brothers who previously had been teaching in the elementary schools.

Figure 1, on the following page, depicts the relationships among the various persons and agencies who form the parish elementary school system of the Roman Catholic Church in the United States. In the organizational plan shown in this diagram, the bishop is the highest authority, and in most cases he acts through the diocesan superintendent, who reports to the bishop and also to the school board. The bishop has full and complete authority over teaching communities that are diocesan in origin. The broken line indicates partial authority. The teaching community provides for at least some of the training of its members, and in many cases for all of it. The teachers and pupils are appointed by the community. Through the use of supervisors, the community checks on the efficiency of its teachers. The pastor, who is appointed by the bishop, receives the educational plans of the diocese through the superintendent.

The office of diocesan superintendent is a relatively new one in the Catholic educational organization. Until the end of the past century, the diocese had little influence upon education. But in an effort to raise the standards of teaching in the Catholic schools, the Third Plenary Council of Baltimore, in 1884, decreed that each diocese

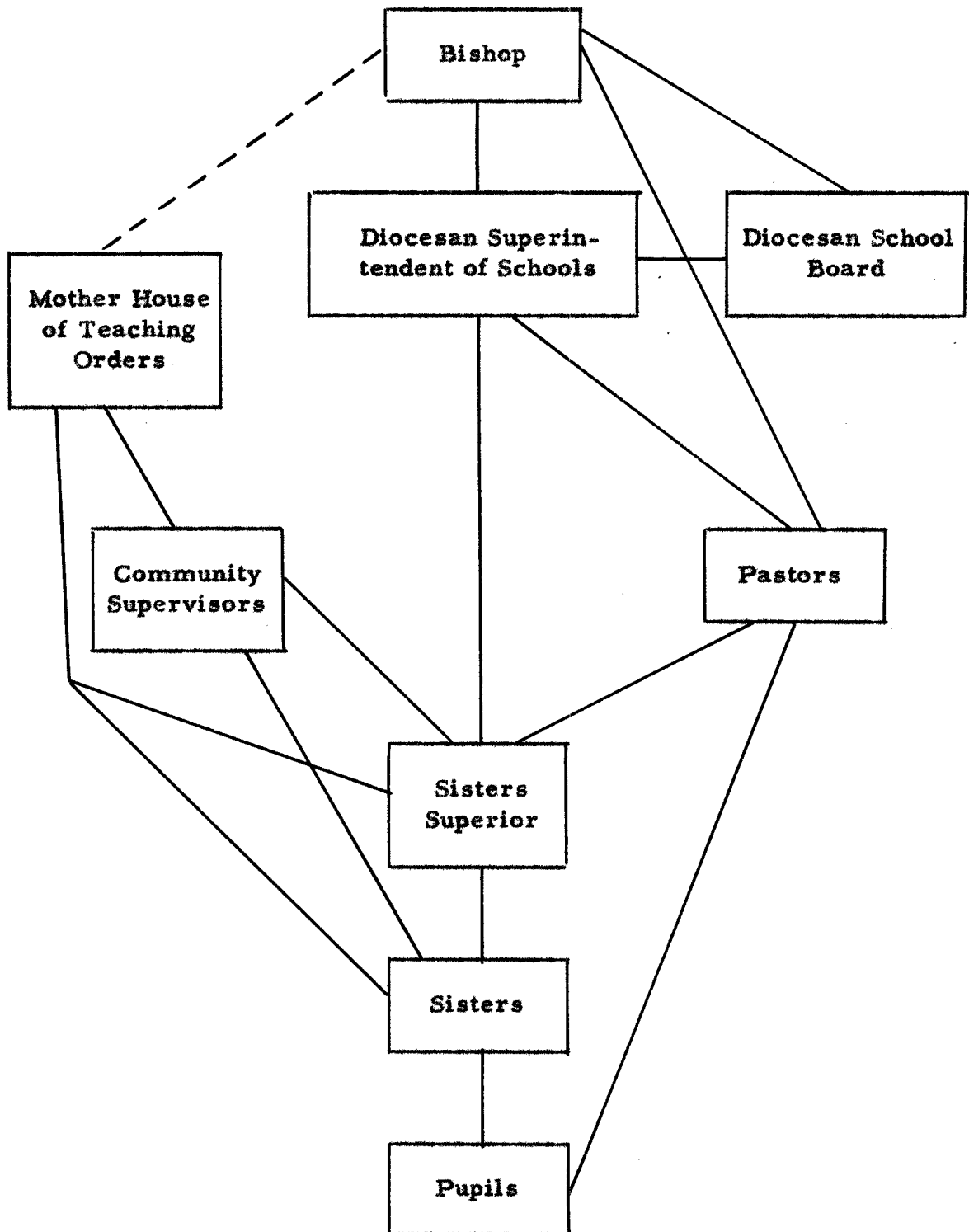


Fig. 1. —Interrelationships among the various agencies and persons who constitute the parish elementary school system of the Roman Catholic Church. (From J. A. Burns, A History of Catholic Education in the United States, p. 196.)

should have a Board of Examiners whose function is to examine and accredit all teachers employed within the Catholic schools of the diocese. These boards, in attempting to carry out the duties for which they were created, soon found themselves involved in and concerned with a great many other problems connected with the schools. Gradually, because of the varied functions they performed, these boards came to be known as school boards rather than as boards of examiners. These school boards delegated some of their powers to the diocesan superintendent, who is the executive officer of the school board and who represents the bishop in the government and control of the schools of the diocese. The duties of the diocesan superintendent include the inspection of all Catholic schools within his diocese, the supervision of teaching, and the making of provisions for teacher training. Under his supervision, the diocesan course of study is planned for the various grade levels, and textbooks are selected. Each year he publishes a report giving a complete statistical account of the schools under his care and making recommendations for their improvement. In general, the work of the diocesan superintendent may be said to fall into four principal categories, as follows:

1. Organization and administration of the school system of the diocese.
2. Supervision of instruction.
3. Educational leadership.

4. Public representation of the school system of the diocese.³⁰

The administration of the parish high school is carried out exactly like that of the parish elementary school (see Figure 1). The private and central high schools, however, are organized on a somewhat different basis, as indicated in Figure 2, on the following page.

The pastor is not involved in the administration of the private and central high school in the Catholic parochial system. The diocesan superintendent has direct supervision over the central high school, but his control over the private high school varies according to local practices and circumstances. Usually, though, his control is either indirect or partial. Voluntary co-operation is indicated by the dotted lines in Figure 2. For the sake of simplicity, the diocesan supervisor, the community supervisor, and the principal, all of whom are included in the diagram showing the organization of elementary schools (Figure 1), are omitted from Figure 2, showing the organization of secondary schools in the Catholic parochial system. The diocesan superintendent visits parish and diocesan schools, and sometimes the private schools. The community supervisor visits parish and private schools conducted by his or her religious community, and in some cases also visits the diocesan central high schools if they are staffed by members of the community. The principal of the school is

³⁰Sharkey, op.cit., p. 26.

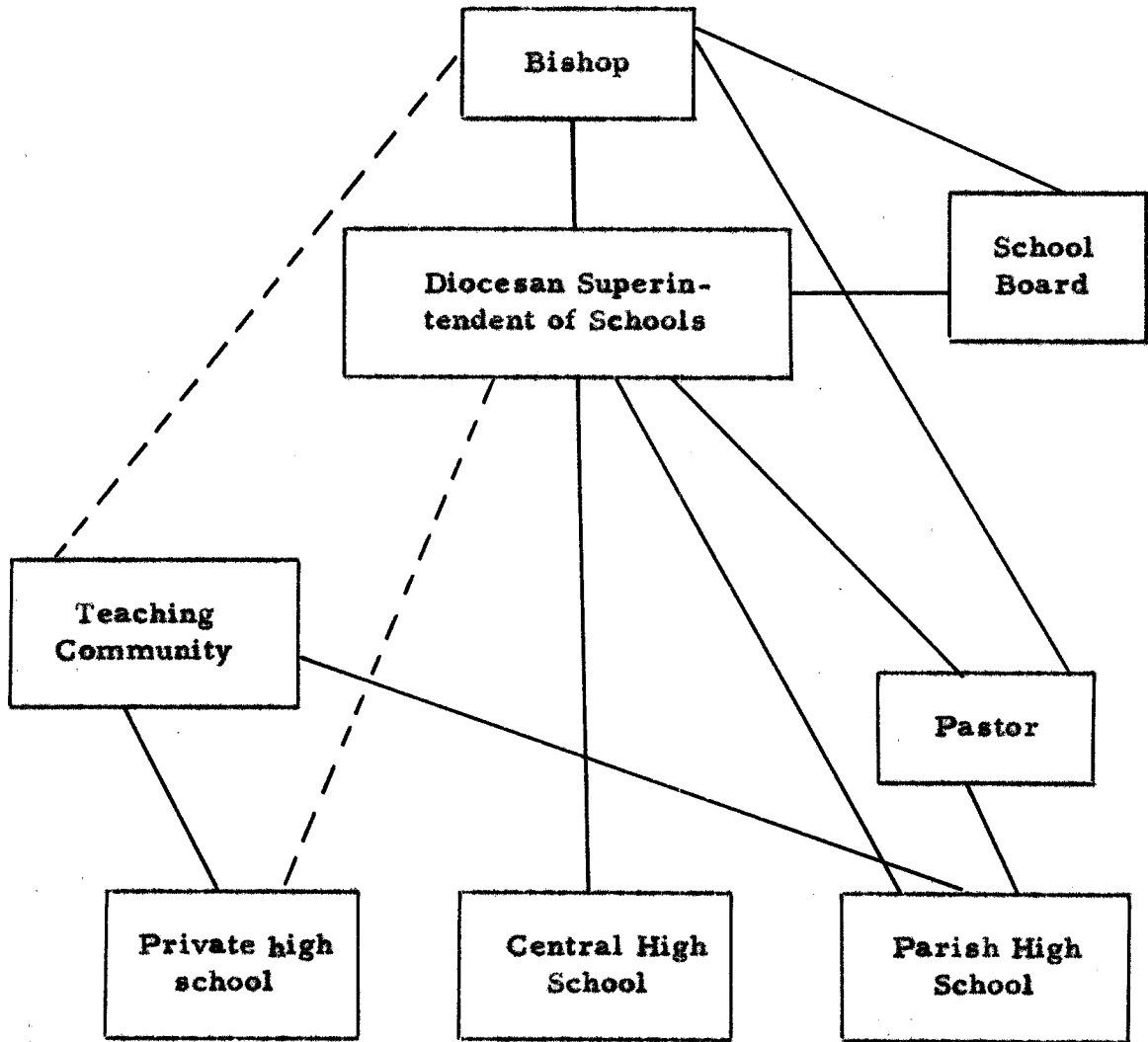


Fig. 2. — Interrelationships among the various agencies and persons who constitute the parish secondary school system of the Roman Catholic Church. (From Don Sharkey, These Young Lives, p. 25.)

responsible to the pastor; and the religious community, to the religious community alone or to the diocesan superintendent, depending upon the type of school involved.

When the high school was transformed from a school for the select few to a school for everyone, the Catholics had to act quickly to meet this new challenge. The most obvious and the quickest solution was to add high school grades to the parish elementary schools, and today the parish high schools still outnumber the other types of Catholic high schools. Private high schools are the oldest type of secondary schools within the Catholic parochial system, and they constitute the second largest group. They are conducted by religious orders and are supported by the payment of tuition fees. Efforts are now being made to ease the financial burden of the parents who are required to pay these fees if their children attend private Catholic high schools. This effort to lessen the financial obligations of the parents takes one of two forms, depending upon local conditions and the policy of the diocese and of the bishop. In some places, the parish assumes all of the cost of tuition in private high schools, while in other places the cost is shared by the parents and the parish.

In some cities Catholic central high schools are operated separately for boys and girls, but in others these schools are coeducational. The diocesan central high school is the newest of the three

types. Although it is still less numerous than the parish high school and the private high school, it is increasingly coming into favor, because it is equipped to offer a great number and diversity of courses which are not available in the other types of Catholic high schools. Some central high schools are supported entirely by diocesan funds, others by funds from the parishes, some by contributions from the parents of children who attend them, and some by various combinations of these methods.

In 1950, 7.5 per cent of the high schools operated by the Catholic Church were central, 36.9 per cent were private, and 55.6 per cent were parish; in that year, 40.8 per cent of the Catholic high schools had fewer than 100 students enrolled, 38.7 per cent had from 100 to 300 students, 17.9 per cent had from 301 to 1,000 students, 2.3 per cent had from 1,001 to 2,500 students, and 0.3 per cent had more than 2,500 students enrolled.³¹ In 1950, there were 484,183 students enrolled in 2,189 Catholic high schools with 27,770 teachers.³²

Over 85 per cent of the high schools and 95 per cent of the secondary enrollment are in urban areas. Only about 5 per cent of the pupils enrolled in Catholic high schools live in rural areas. More than half of the high schools are coeducational, but these enroll less than 40

³¹Ibid., p. 45.

³²United States Office of Education, Biennial Survey of Education in the United States, 1948-1950, pp. 114-115.

per cent of the total number of secondary pupils attending Catholic schools.

The majority of the faculty members are Sisters, but priests and Brothers also teach in boys' schools, primarily. Lay teachers are more numerous in the secondary schools than in the elementary.

Besides the regular schools, the Catholics had, in 1950, eleven schools for the deaf, three for the blind, and eight for the mentally retarded. There were also a number of speech clinics and reading clinics, some maintained by the dioceses and others by Catholic universities.

Throughout the United States, Catholic high schools have been constructed in proportion to the ratio of Catholic population. The number of such schools varies from one in Wyoming to over two hundred in New York State.

Curriculum of Catholic Parochial Schools in the United States

As might be expected in the light of the reasons for the establishment of parochial schools by the Roman Catholic Church, the curriculum in these schools places religion and Catholic doctrine in a central role among the subjects offered. All academic subjects are arranged around the fundamental core of religion and doctrine. The history of the development of the curriculum of the public schools and of the Catholic schools has run along distinct lines. The Catholic

schools, while not following the public school system in the curriculum or in its organization, must, nevertheless, take into account the various studies offered in the public schools and the extent to which the several courses are to be found in the various grade levels.

When Horace Mann laid the foundations of a state school system in Massachusetts, his first step was to exclude from the curriculum the teaching of all religious dogmas. It appears that Mann and other educational reformers of the time were not opposed to the teaching of religion as such; but they recognized the fact that all religious teachings lend themselves toward an emphasis upon denominational doctrines and beliefs that are objectionable to those who believe differently. Since the public schools were to be operated from funds paid by all of the people, with their many different religious affiliations, it was obvious that religious instruction emphasizing denominational tenets could not be included in the curriculum, since so much objection would be raised by those who could not share the particular beliefs that might be emphasized. Too, although Mann and other early leaders in American education seemed to recognize the importance of religion, in their judgment religion could be taught effectively in the home and in the church, and it should be taught in these institutions rather than in the school. The home and the church could emphasize particular creeds and doctrines without causing offense to persons who might believe differently, whereas the school could not

do so, unless it happened to be a denominational parochial school. Certainly, the public schools could not indulge in doctrinal issues.

The Catholic Church, however, did not concur in these opinions, and therefore set to work to build up a school system of its own. In doing this, the effective teaching of religion and of morality, together with Catholic dogma, was its primary motive. Educational and religious leaders of the denomination believed that religion, morality, and dogma could not be taught effectively when separated from the teaching of the secular or academic subjects; and therefore the Catholic parochial schools were set up to contain those secular branches of learning which were being introduced in the public schools, in order that the children who attended Catholic schools might not suffer in any way in their temporal concerns and skills because of attendance in these special schools.³³

As is true in the state-supported public schools, the curriculum in the Catholic schools has changed with the times. The basic curriculum of the four R's (reading, writing, 'rithmetic, and religion) has been maintained from the beginning. There have been variations in the emphasis given to one or the other of these four areas of study, and there have been additions to this fundamental curriculum, especially throughout the nineteenth century and in recent decades of the twentieth.

³³T. E. Shields, Philosophy of Education, p. 405.

In the earliest schools, spelling was frequently taught in connection with reading. Many schools taught bookkeeping, and sewing and knitting were customary courses for girls. By 1850, most of the schools were emphasizing reading, spelling, writing, mental arithmetic, and grammar, in addition to religion and Catholic doctrine. Some American history was introduced, and there were "object lessons" which were the ancestors of science instruction by means of experience and demonstration.

By 1875, language, geography, and history had attained more prominence, and by 1900 more attention and time were being devoted to music, elementary science, and nature study, as well as sewing, cooking, and manual training.³⁴

In 1938, Pope Pius XI wrote to the Catholic University of America, saying: ". . . the University can evolve a program of social action, fitting in its detail to local needs, which will command the admiration and acceptance of all right-thinking men."³⁵ The university responded at once to this suggestion by the Pope, and established the Commission on American Citizenship, which is now building a social program for the Catholic schools of the nation.

³⁴J. A. Burns, A History of Catholic Education in the United States, p. 205.

³⁵Sharkey, op. cit., p. 8.

One of the first tasks of the commission was to produce for the elementary schools a curriculum which would develop in the child "the understandings, the attitudes, and the habits that are required for Christian living in America." This curriculum is called Guiding Growth in Christian Living.

. . . It consists of three volumes for the primary, intermediate, and upper grades respectively. The volumes stress the goals of the child: physical fitness, economic competency, social virtue, cultural development, moral perfection. They consider the child's basic relationships: God, the Church, fellow man, self, nature.

The curriculum has had a great effect upon Catholic schools, and it promises to have an even greater effect in the future. If it fulfills its purpose it will 'make the spiritual and temporal one beautiful composite whole,' and it will help rear 'a citizenship loyal alike to God and government.'

The Commission has also produced a set of readers widely used in the parish schools and also extends its cooperation to publishers of other texts. It helps dioceses and teaching communities set up courses of study based on its curriculum.

The following principles are the bases for all the activities of the Commission:

1. The dependence of man upon God.
2. The individual dignity of every human person.
3. The social nature of man.
4. The sacredness and integrity of the family.
5. The dignity of the worker and his work.
6. The material and spiritual interdependence of all men.
7. The obligation of all men to use the resources of the earth according to God's plan.
8. The obligation of men to share non-material goods with one another.
9. The obligation of justice and charity that exists among peoples and nations.
10. The unity of all men.

It is upon these principles that . . . social education will be based.³⁶

Today, the Catholic schools are teaching essentially the same courses that are being offered in the public schools of the nation, plus religion and Catholic dogma. In the Catholic schools, religion is not confined to the designated periods devoted to its formal study. Since religion is the principal reason for the existence of the schools, it "animates every classroom subject and every activity."

Finally, the fact should not be lost sight of that Catholics are interested in the curriculum of our public schools and in everything else pertaining to them, for Catholics, in as full a measure as any others among their fellow-citizens, support the state schools and they share an equal measure in the responsibility of governing them. Catholics are not behind others in contributing to the educational progress of the state schools, but they cannot take over the curriculum or methods or ideals of the state schools into Catholic schools, for the simple reason that the ultimate aim of Catholic education is higher than that of the state schools. It includes within its scope all the legitimate aims of the state school, while the state school does not, and cannot, include the ultimate aim of Catholic education.³⁷

Because of the fact that the Catholic schools face many common problems, the bishops of the United States have set up within the National Catholic Welfare Conference in Washington a Department of Education. This department collects and analyzes data concerning Catholic schools, furnishes information to school officials and to the

³⁶Ibid., p. 9.

³⁷Shields, op. cit., p. 412.

general public, advises Catholic educators in connection with problems of national concern, safeguards the interests of Catholic education in co-operation with the Legal and Executive Department of the National Catholic Welfare Conference, and represents the interests of Catholic education in general.

Another organization which promotes education on a national scale is the National Catholic Educational Association, which is a voluntary organization of Catholic educators who, at national meetings, exchange ideas, hear important problems discussed, learn of the latest teaching methods and equipment, and adopt resolutions which reflect the thought of those who are engaged in the work of conducting the Catholic program of education.

Growth of Parochial Schools

During the year ending in June, 1933, a study was made of private and parochial schools in the United States by the United States Office of Education. No previous study of similar scope had ever been undertaken, so the figures obtained in this 1933 survey may be accepted as the earliest official statistics concerning such schools. Table 1 on the following page presents a portion of the results of the survey, showing the total number of private elementary and high schools in the country, together with the number of teachers and the total enrollment for Catholic and non-sectarian private schools. Although the totals

TABLE 1

NUMBER OF PRIVATE ELEMENTARY AND HIGH SCHOOLS IN
THE UNITED STATES IN 1933, SHOWING DISTRIBUTION
OF TEACHERS AND ENROLLMENT AMONG CATHOLIC
AND NON-SECTARIAN SCHOOLS*

Items	Number		Total**
	Catholic	Non-sectarian	
Private elementary schools	5,759	585	7,745
Teachers (men)	1,418	857	4,082
Teachers (women)	40,927	2,945	45,350
Enrollment (boys)	813,737	21,675	881,797
Enrollment (girls)	816,383	21,149	880,631
Private high schools	1,715	522	2,635
Teachers (men)	3,090	2,757	7,462
Teachers (women)	8,165	2,502	12,080
Enrollment (boys)	84,840	29,273	131,852
Enrollment (girls)	112,872	21,291	148,324

*Compiled from figures collected by the United States Office of Education and published in Biennial Survey of Education in the United States, 1934-1936, pp. 18, 23.

**Totals include figures for Protestant parochial schools as well as for Catholic and non-sectarian private schools; hence the discrepancies in totals.

include figures for Protestant parochial schools, no breakdown of these particular denominational educational systems was obtainable. It is apparent from the tabulation that Catholic schools far outnumbered other private and parochial schools, that there were many more teachers in the Catholic schools, and that enrollment in the Catholic schools far surpassed that in the private and non-sectarian schools, as well as in Protestant parochial schools. Men teachers were more equitably distributed between Catholic and non-Catholic private schools than was true of women teachers, who were preponderantly to be found in Catholic schools. Considerably more girls than boys were enrolled in both types of schools, with the enrollment of both sexes in Catholic schools far surpassing that in non-Catholic schools.

Since 1928, the enrollments in private and parochial schools have tended to increase more rapidly than enrollments in the public schools of the United States. During the twenty-year period from 1928 to 1948, the total enrollment of elementary pupils in the public schools decreased 14 per cent, while the enrollment of elementary pupils in non-public schools increased 9.7 per cent. Enrollment in public high schools for this same period increased by 44.5 per cent, while that in non-public schools increased 76.6 per cent.³⁸

³⁸United States Office of Education, Biennial Survey of Education in the United States, 1946-1948, p. 3.

In 1948, 81 per cent of the non-public secondary schools were denominational in character. Enrollment in denominational secondary schools increased from 396,214 in 1941 to 512,727 in 1948—an increase of 29 per cent in the eight years. During the same period, enrollment in Roman Catholic high schools, which represented 92 per cent of the total enrollment in all denominational secondary schools, rose from 361,123 to 472,625—an increase of 31 per cent. Protestant Episcopal schools, second in size among denominational schools in both numbers and enrollment, increased in enrollment from 5,552 pupils in 1894 to 8,523 in 1941 to 10,727 in 1948—an increase of 26 per cent. During the same eight years, from 1941 to 1948, the enrollment in non-sectarian secondary schools increased by 24 per cent. Denominational schools, taken as a total group, enrolled twice as many pupils in 1948 as in 1930.³⁹

One of the weaknesses of the public schools has always been the large number of pupils per teacher that is often necessary. Overcrowded conditions and classrooms filled to capacity or beyond contribute to inefficiency in the educational program and make it increasingly difficult for teachers to give the individual attention to pupils that is so often needed. The difficulty of learning en masse is also much more pronounced than if it is possible to maintain an informal

³⁹Ibid.

atmosphere in the classroom, in which wholesome rapport exists between the teacher and the pupil. In these respects, non-public schools possess an advantage over the public schools, since both total enrollment and number of pupils per class tend to be somewhat smaller than is true in the public schools. In 1948, for example, the average number of pupils per instructor in the non-public high schools of the United States was 14.4 as over against an average of 21.5 for public high schools. While the pupil-teacher ratio has tended to increase in recent years in the public schools, that in the non-public schools has shown a downward trend, as is indicated by the fact that in these schools the average number of pupils per teacher was 15.2 in 1941, as compared to 14.4 in 1948.⁴⁰

Table 2 indicates average enrollments per school and the average number of pupils per instructor in non-public secondary schools in the United States in 1948. This table indicates that average enrollments among this group of high schools ranged from 108.5 for the schools maintained by the Seventh-Day Adventists to 218.0 for the Catholic schools. The average number of pupils per teacher ranged from 6.9 for Episcopal schools to 17.4 for Catholic schools. Thus, both enrollment and classes tend to be small in non-public secondary schools.

TABLE 2

AVERAGE ENROLLMENT PER SCHOOL AND AVERAGE NUMBER
OF PUPILS PER TEACHER IN NON-PUBLIC SECONDARY
SCHOOLS IN THE UNITED STATES IN 1948*

Types of Non-public Schools	Average Enroll- ment Per School	Average Number of Pupils Per Teacher
Non-sectarian	136.5	8.3
Roman Catholic	218.0	17.4
Protestant Episcopal	116.4	6.9
Baptist	164.9	10.8
Presbyterian	134.4	9.7
Lutheran	190.7	15.2
Methodist	141.6	10.4
Seventh-Day Adventist	108.5	10.7
Others (combined)	159.3	10.1

*Compiled from information collected by the United States Office of Education and published in Biennial Survey of Education in the United States, 1946-1948, p. 3.

Table 3, beginning on the following page, presents information on the number of non-public secondary schools for three designated years over a fifty-four-year period, together with the total enrollment of pupils in these schools. The years included in the tabulation are

TABLE 3

NUMBER OF NON-PUBLIC SECONDARY SCHOOLS IN
OPERATION IN 1894, 1918, AND 1948, AND
TOTAL PUPIL ENROLLMENTS
FOR THESE YEARS

Types of Schools	1894*		1917-18**		1947-48*	
	Schools	Pupils	Schools	Pupils	Schools	Pupils
Baptist . . .	101	7, 173	99	8, 129	20	3, 275
Christian . . .			19	1, 256		
Christian Science			2	157		
Church of the Brethren . . .			4	329		
Congregational . .			28	2, 086		
Episcopal . . .	119	5, 552	78	5, 826	94	10, 727
Evangelical . . .			1	115		
Friends . . .			28	2, 289		
Jewish . . .			1	226		
Latter Day Saints			19	5, 483		
Lutheran . . .	36	1, 908	53	3, 981	18	3, 394
Mennonite . . .			5	497		
Methodist . . .	60	5, 958	69	6, 367	21	2, 924
Methodist Epis- copal, South . . .			25	2, 090		

TABLE 3—Continued

Types of Schools	1894*		1917-18**		1947-48*	
	Schools	Pupils	Schools	Pupils	Schools	Pupils
Methodist Prot- estant . . .			1	14		
Moravian . . .			2	70		
Nazarene . . .			6	346		
New Church . .			3	112		
Norwegian Evangelical . .			1	19		
Holiness . . .			1	22		
Pillar of Fire . .			1	40		
Presbyterian . .	102	4,654	56	3,531	22	2,859
Reformed Church			7	710		
Roman Catholic .	280	12,777	940	61,823	2,177	472,625
Seventh-Day Adventist . . .			20	1,805	51	5,532
Unitarian . . .			1	80		
United Brethren .			4	208		
United Evangel- ical . . .			1	52		

TABLE 3— Continued

Types of Schools	1894*		1917-18**		1947-48**	
	Schools	Pupils	Schools	Pupils	Schools	Pupils
Universalist .			3	361		
Non-sectarian .	1,270	65,906			574	76,338

*From United States Office of Education, Biennial Survey of Education in the United States, 1946-1948, p. 3.

**From Department of the Interior, Bureau of Education, Bulletin 1919, No. 91, Vol. 4, pp. 328-329.

1894, 1918, and 1948. The table shows that approximately thirty religious groups maintained parochial schools at some time during the period for which data are presented. It is very obvious that the period of the First World War saw by far the largest number of parochial schools in existence of any of the three periods included in the tabulation. Only six denominations were consistent in operating parochial schools for all three of the years encompassed by the table. These denominations were the Baptist, the Episcopal, the Lutheran, the Methodist, the Presbyterian, and the Roman Catholic. Of these six denominations, the Lutheran, the Methodist, and the Catholic gained in numbers of schools in 1918 over 1894, but only the Catholic Church

made steady and consistent gains in number of parochial schools throughout the fifty-four-year period. The Episcopal denomination and the Seventh-Day Adventists had more schools in operation in 1948 than in 1918, but the other churches, with the exception of the Roman Catholic, showed declines in the number of schools in operation.

In 1918, the number of parochial schools maintained by the various denominations ranged from one school each for eight denominations to 940 schools for the Roman Catholics. In 1948, the number of parochial schools in operation ranged from twenty-one for the Methodists to 2,177 for the Roman Catholics. Thus, the number of Catholic parochial schools more than doubled in the years from 1918 to 1948, while they increased by almost 800 per cent from 1894 to 1948.

Table 4, beginning on the following page, presents figures compiled by the United States Office of Education in relation to the public, non-public, and Catholic elementary schools in the United States in the school year 1949-1950, showing the number of teachers employed in these schools, a breakdown of the teachers into religious and lay persons, and the total enrollment of boys and girls in the three types of schools mentioned. Data in this table are presented in terms of political and geographic regions of the United States, including the nine distinct sections, as follows: New England, Mid-Atlantic, East North Central, West North Central, South Atlantic, East South Central,

TABLE 4—Continued

Teachers			Enrollment	
Religious		Lay	Boys	Girls
Men	Women			
90	7,201	300	499,000 143,235 135,239	463,000 141,826 135,064
386	18,001	1,735	1,591,000 434,531 410,636	1,505,000 414,675 402,252
578	15,212	853	1,798,000 378,818 323,203	1,680,000 368,294 314,363
260	6,765	431	945,000 132,313 123,350	883,000 127,444 119,061

TABLE 4--Continued

Region	Type of School	Number of Schools	Total Number of Teachers
South Atlantic	Public		89,266
	Non-public		3,964
	Catholic	436	3,059
East South Central	Public		53,619
	Non-public		2,339
	Catholic	367	1,989
West South Central	Public		61,195
	Non-public		4,612
	Catholic	646	4,273
Mountain	Public		24,151
	Non-public		1,561
	Catholic	210	1,388

TABLE 4—Continued

Teachers			Enrollment	
Religious		Lay	Boys	Girls
Men	Women			
76	2,838	145	1,683,000 64,787 58,978	1,586,000 64,516 57,297
117	1,756	116	1,035,000 36,450 29,705	974,000 36,277 29,378
236	3,369	668	1,110,000 74,366 69,048	1,036,000 76,560 71,346
115	1,198	75	392,000 25,572 15,530	369,000 26,244 18,718

TABLE 4—Continued

Region	Type of School	Number of Schools	Total Number of Teachers
Pacific	Public		51,153
	Non-public		4,469
	Catholic	491	4,004
TOTAL	Public		589,578
	Non-public		76,087
	Catholic	8,589	66,525

* This table was compiled from information found in Biennial Survey of Education in the United States, 1948-1950, pp. 111-113, 114-115.

** Throughout the table, non-public schools include both private and parochial schools.

TABLE 4—Continued

Teachers			Enrollment	
Religious		Lay	Boys	Girls
Men	Women			
			965,000	891,000
			80,180	81,689
222	3,358	424	75,387	77,345
			10,018,000	9,387,000
			1,370,252	1,337,525
2,080	59,698	4,747	1,244,076	1,224,824

West South Central, Mountain, and Pacific. For each of these regions, information is presented for public, non-public, and Catholic elementary schools. Totals indicate that, over the United States as a whole, a vast majority of all teachers are employed in the public schools, with smaller numbers in the non-public and the Catholic schools, respectively, in descending order. The same is true of enrollment of both boys and girls: by far the largest percentage of pupils is to be found in the public schools, with the non-public and the Catholic schools following with smaller numbers.

Table 5 contains similar compilations for public, non-public, and Catholic secondary schools in the nine geographic and political regions of the United States in 1949-1950. In this tabulation, as in that for the elementary schools, the number and type (whether religious or lay) of teachers and the total enrollment of boys and girls in the various systems of schools are shown, together with totals for the United States as a whole. Here, as for the elementary schools, the total number of public and non-public schools is not given, but the number of Catholic schools in existence in the nine regions and in the country as a whole is indicated. As with the elementary schools, by far the largest number of teachers and the overwhelming proportion of pupils in attendance are found in the public schools, with the non-public and the Catholic schools following with smaller

TABLE 5

**NUMBER AND TYPE OF TEACHERS EMPLOYED, AND TOTAL
ENROLLMENT IN PUBLIC, NON-PUBLIC, AND CATHOLIC
SECONDARY SCHOOLS IN THE NINE GEOGRAPHIC AND
POLITICAL REGIONS OF THE UNITED STATES
IN 1949-1950***

Region	Type of School	Number of Schools	Total Num- ber of Teachers
New England	Public		20,267
	Non-public**		6,173
	Catholic	225	2,653
Mid-Atlantic	Public		62,391
	Non-public		10,348
	Catholic	477	7,687
East North Central	Public		63,716
	Non-public		9,813
	Catholic	513	7,373

TABLE 5--Continued

Teachers			Enrollment	
Religious		Lay	Boys	Girls
Men	Women			
			169,000	162,000
			52,758	59,773
583	1,702	367	19,981	28,265
			572,000	556,000
			84,762	92,048
1,945	4,298	1,444	64,564	81,850
			561,000	571,000
			76,556	89,553
1,703	4,544	1,126	60,775	78,568

TABLE 5— Continued

Region	Type of School	Number of Schools	Total Number of Teachers
West North Central	Public		32,861
	Non-public		4,446
	Catholic	345	3,347
South Atlantic	Public		45,746
	Non-public		3,674
	Catholic	135	1,539
East South Central	Public		23,919
	Non-public		1,999
	Catholic	110	1,037
West South Central	Public		33,601
	Non-public		1,927
	Catholic	182	1,605

TABLE 5—Continued

Teachers			Enrollment	
Religious		Lay	Boys	Girls
Men	Women			
			286,000	298,000
			29,742	33,724
724	2,120	493	21,724	26,466
			368,000	423,000
			20,294	20,806
393	830	316	9,912	11,704
			198,000	223,000
			13,394	13,380
313	584	140	7,213	7,587
			263,000	276,000
			13,801	15,975
496	822	287	11,623	13,174

TABLE 5—Continued

Region	Type of School	Number of Schools	Total Number of Teachers
Mountain	Public		12,786
	Non-public		933
	Catholic	65	654
Pacific	Public		28,806
	Non-public		2,871
	Catholic	137	1,875
TOTAL	Public		324,093
	Non-public		42,184
	Catholic	2,189	27,770

*This tabulation was compiled from Biennial Survey of Education in the United States, 1948-1950, pp. 111-113, 114-115.

**Throughout the table, non-public schools refer to both private and parochial schools other than Catholic.

TABLE 5—Continued

Teachers			Enrollment	
Religious		Lay	Boys	Girls
Men	Women			
			111,000	112,000
			6,083	7,457
138	423	93	4,228	4,996
			284,000	274,000
			19,470	22,786
512	1,006	357	13,281	18,232
			2,812,000	2,895,000
			316,860	355,502
6,818	16,329	4,623	213,301	270,842

numbers in descending order. A comparison of totals from Tables 4 and 5 reveals that in 1949-1950, there was a total of 10,778 Catholic parochial schools in the United States, including 8,589 elementary schools and 2,189 secondary schools.

Philosophy of Catholic Parochial Schools

Non-Catholics often find it difficult to understand why members of the Roman Catholic denomination persist in maintaining and expanding their parochial educational system in an age when the overwhelming and almost universal emphasis in America is placed upon plans and systems of public education supported by taxation and controlled and maintained by the state. To operate their system of parochial schools costs Catholics double assessments for education, since they must still pay taxes, along with all non-Catholics, for the maintenance of public education while sending their children to Catholic schools for which they must pay either in the form of tuition or of increased assessments made and collected by the church. Protestants, who are likely to have little patience with Catholic doctrines and with Catholic ways of doing things, tend to regard the parochial school system of the Catholic Church as a stupid and obsolete institution maintained primarily for the propagation of insidious Catholic doctrines. Catholics, though, are proud of their parochial schools, for in them the religious truths and doctrinal issues which have been ousted from the public

schools can be fostered and inculcated. The financial sacrifices which Catholics are making for the maintenance of their parochial schools are justified, in their opinion, by the following principles which characterize the Catholic system of education:

1. The spiritual interests of the child, while not exclusive of other interests and needs, such as learning, health, skill, ability to make a living, and so on, are supreme. Where there is danger of wrecking the soul or destroying the moral sense of a Catholic child, no consideration of economy has any weight.

2. Next to religion, morality is the most important matter in the life of a child. Catholics maintain that morality is best taught when based on religion. Catholic educational theorists, especially, are convinced that the immature mind of the child cannot grasp principles of morality except they be presented by way of religious authority and religious feeling.

3. Considering the nature of the child mind, the whole curriculum of the school is best presented when it is organized and unified, not fragmentary and disconnected. Religion, appealing as it does to the heart as well as to the head, offers the best of principles of mental and spiritual unification and organization. The exclusion of religion from the public schools is a deplorable pedagogical mistake, in the opinion of Catholic educators.

4. Although condemned by secular-minded educators as un-American and as opposed to national institutions and ideals, the Catholic schools are defended by their supporters as second to none in national usefulness and effectiveness. They teach patriotism, and the results prove that they teach it successfully. They teach morality, and the lives of the Catholic citizens of the nation illustrate the wholesome result. They teach religion, thus constituting, in an age that tends to question everything, a great institutional force on the side of belief in God, in religious forces and responsibilities, and in definite moral ideals. They have the advantage of discipline, uniformity of ideals, harmony of methods, and, above all, of disinterested devotion and sincere effort on the part of their teachers.⁴¹

Since religion is held by the Catholics as being the supreme coordinating force and principle in education, as it is in life, if the so-called secular branches of knowledge are taught without reference to religion, the church feels that an educational mistake is being made, that the "one thing necessary" is being forcibly excluded, to the detriment of education itself. Therefore, Catholic educators assume the task of teaching the secular branches of knowledge in such a manner that religion is the centralizing, unifying, and vitalizing force in the educational process. Whenever there is positive and immediate

⁴¹Catholic Encyclopedia, XIII, 561.

danger of loss of faith, the church cannot allow her children to run the risk of perversion; whenever religion is left out of the curriculum, the church tries to supply the deficiency by making religion and doctrine central to all education. ⁴²

Largely due to the influence of the philosophy governing the Catholic system of schools, and because members of this church, on the whole, insist on religious and doctrinal instruction for their children, parochial schools have been steadily on the increase in recent years. A survey conducted in 1950 by Benjamin Fine of the New York Times indicated that the educational system of the Roman Catholic Church is now in a period of considerable expansion and growth. Fine, whose study received the co-operation of the National Catholic Welfare Conference, reported his findings in a front-page story in the Times on June 5, 1950. After studying the educational program in twenty-three of the 126 dioceses and archdioceses in the United States, Fine estimated that the "huge building program" for parochial schools of the church would cost \$250,000,000 between 1950 and 1955. In New York City and Brooklyn alone, some \$6,000,000 will be spent for Catholic schools, while Cleveland is spending another \$6,000,000 for this purpose. New Orleans and Cincinnati will spend \$2,500,000 each, and Indianapolis and Syracuse, \$1,000,000 each. ⁴³

⁴²Ibid., p. 554.

⁴³"Catholic Schools Report Growth," Christian Century, LXVII (June 21, 1950), 747.

In some dioceses in which the Catholic population is large, Catholic parochial schools may enroll more pupils than do the public schools in the same areas. In New York City in 1950, 55 per cent of all children of school age were being educated in Catholic parochial schools; in Manchester, New Hampshire, 55 per cent; in St. Cloud, Minnesota, 44 per cent; in Rochester, New York, 42 per cent; in Syracuse, New York, 40 per cent; and in Cleveland, Ohio, 36 per cent. In the country as a whole, the Catholic Church was educating less than one tenth of the school-age children in 1920, but somewhat more than one tenth in 1948. Fine's survey indicated that the greater gains made by the Catholic educational system in recent years have occurred in the areas of secondary and higher education rather than in the elementary schools. In the period from 1920 to 1948, elementary parochial schools increased from 6,551 in number with an enrollment of 1,795,673 to 8,289 in number with an enrollment of 2,349,049. During the same time, secondary schools jumped in number from 1,552 to 2,150; their enrollment, from 35,000 to 300,000. In 1950, the entire system of Catholic education required 109,540 teachers, which was twice the number listed in 1920.

With considerable justification, the National Catholic Welfare Conference claims that the educational system maintained by the Catholic Church is saving taxpayers vast sums of money. If Catholic

schools were not in existence, the public would be required to build and operate many more schools than are now required from public funds, due to the educational efforts of the Catholic Church. In 1950, the National Catholic Welfare Conference estimated that the parochial school system of the church was saving taxpayers of the nation at least \$500,000,000 annually, which otherwise would have been required for additional public educational facilities.⁴⁴

When the writer conferred with the Rev. Walter Bojniewicz, pastor of the Immaculate Conception Catholic Church of Denton, Texas, the latter volunteered to write, for inclusion in the study, a brief paper in explanation of the reasons why the Catholic Church maintains a system of parochial schools. Bojniewicz was superintendent of the Sacred Heart Academy of Texarkana, Texas, from November, 1940, until January, 1946. This school offers a standard twelve-grade curriculum. Thus, Bojniewicz is not only experienced as a priest in the church, but also as an educator. As his paper appears to possess considerable relevance in connection with this consideration of the philosophy of the Catholic parochial school system, it will be quoted in full at this point, exactly as it was written.

WHY THE CATHOLIC SCHOOL?

Why does the Catholic Church erect her own schools—grade school, high school, colleges and universities? Why does the Catholic Church go to such an enormous expense and sacrifice to establish her system of schools?

⁴⁴Ibid.

The Church has nothing but admiration and gratitude for the vast army of men and women who labor in our public schools and endeavor with painstaking care to train youth in the arts of learning and in the duties of citizenship. Because of the variety of religious faiths among our citizens, however, it has been thus far impossible to find a way to teach religion in the public schools.

The result is that the products of our public schools know little about the great truths of the Christian religion. Leaders of all faiths are alarmed by the increasing religious illiteracy of millions of pupils who annually emerge from such schools. In an article, *Our Crop of Religious Illiterates*, in *The Christian Century* (April 17, 1946), the Rev. Dr. Harry E. Fosdick, a leading voice in American Protestantism, declares: "In our public schools the pupil comes into contact with every major social interest—save one. With scrupulous regard for sectarian neutrality, we have excluded all instruction in religion from general education. Religion is thus discounted in the eyes of youth. It does not seem important. As a result, recent generations of American youth have grown up ignorant of religion and indifferent to it." As *The Christian Century* points out, the modern home is notoriously incompetent in teaching religion. The Sunday school, meeting one hour a week, manned by volunteer teachers, is little more than a gesture toward education. Religion and morality cannot remain positive forces in America while we continue to allow our children to grow up in religious illiteracy.

The Church establishes her schools because she knows that religious education is essential for the well-rounded development of youth. No education is complete without the development of character. But character in the best sense cannot be developed without faith in God. Ethics, sociology, and civics ask a person to be a good neighbor and law-abiding citizen. They do not, however, provide effective sanctions or incentives for the observance of the moral law in times of stress and strain.

Why should a man be honest when it might be to his direct advantage to steal? Why be truthful when a lie provides an easy way of escape? Why restrain a surging passion when the opportunity for gratifying it is at hand and no eye can witness the deed? The precept of ethics, if not buttressed by the

sanctions which only religion can provide, bend like straws in the wind under the pressure of expediency, passion and circumstance.

Ethics, devoid of religion, offers no unconditional, categorical imperatives for moral conduct under all the changing circumstances of human life. This, religion alone can do because God is everywhere, sees all things, and metes out rewards and punishments with infallible accuracy. No one can cheat God or throw dust in His eyes.

Precepts based upon ethics, devoid of religion, may sound well and invoke lip service, but they crack under the strain. They lack authority in the domain of the conscience and the intelligent will of man. Only religion can provide the assurance sadly needed in times of stress and strain that God will reward or punish the individual even though no human tribunal will ever take cognizance of the deed. Man without religion, the basis of true morality, is most apt to observe only the Eleventh Commandment: Whatever you do, don't get caught! Cleverness, moral or immoral, is according to such a person, the highest virtue, nay, the only virtue of the intellectual.

Culture alone does not save. Education and debauchery may travel hand in hand. Something more than mere learning is required. That is religion. For it is religion which sensitizes the conscience to the moral law, and strengthens the will to observe it, by putting our minds in life-giving communion with the wellspring of divine power and divine strength. God is the answer to the cry of every human soul for help. Without Him, our learning is but dust and ashes.

In the ears of the person sensitized by religious faith, God thunders: "Thou shalt!" "Thou shalt not!" Why? "Because, I, thy Lord and God, so ordain. Because I shall mete out to you, without fail, in accordance with your deeds. I know thy most secret thoughts and intentions, and they shall receive their just reward." Religion provides the best incentives for the building of a strong and noble character and for the living of a virtuous life. It puts teeth into the moral law and renders it functional, while the so-called ethical culture amounts to little more than pretty rhetoric. God and religion constitute the only enduring basis of morality and character.

It is this important truth which George Washington, the Father of Our Country, uttered in his famous Farewell Address, a truth which he wanted to keep forever before the eyes of his countrymen. "Reason and experience," he said, "both forbid us to expect that national morality can prevail in exclusion of religious principle."

The most effective remedy for the juvenile delinquency sweeping like a pestilence across our nation is to be found in the practice of religion and in the sensitizing of the individual's conscience to the constant presence of God. If parents will set the example and provide for the training of their children in religion and morals in the home and in the school, the blight of juvenile delinquency will soon perish. More effective than brass-buttoned policemen in prompting youth to observe the laws of justice, decency and honor is a conscience sensitive to the command of God in all the relationships of life. A youth may outdistance a policeman. He knows that he cannot outdistance God.

Above the portals of all the schools in our land might well be carved a truth that youth must never forget. It is this: "A man may walk intellectually among the stars and grovel morally among the swine." The conscience which does not sink its roots into the subsoil of religious faith, nor shoot its antennae up beyond the roof of the skies, misses alike the music of divine inspirations and the thunder of divine commands.

The Catholic school exists in order that youth may walk morally as well as intellectually among the stars, that their consciences may be attuned to the voice of God. It constitutes a sanctuary wherein the two-fold truth—that well-rounded education requires the development of moral character, and morality, in turn, must be based on religion—is recognized not only in theory but also in practice. The Catholic school is a bulwark of America, a mighty fortress against the forces of communism, fascism, and irreligion; a citadel where the young are taught to love their neighbor, their country and their God.⁴⁵

⁴⁵Walter Bojniewicz, "Why the Catholic School?" (unpublished paper prepared especially for this study).

**Parents' Reasons for Sending Their Children
to Catholic Parochial Schools in
Preference to Public Schools**

As has been pointed out previously in this chapter, Catholic children are expected by the church authorities to attend Catholic parochial schools in communities in which such schools are accessible. However, as likewise has been indicated previously, it is possible for Catholic children to attend the public schools, even when Catholic schools are available, by obtaining permission from the local priest with the approval of the diocesan bishop.

Every community has a public school more or less conveniently accessible, but not all communities have Catholic parochial schools. If there are none of the latter available, children from Catholic homes are readily permitted to enroll in the public schools. But in communities which maintain Catholic schools, one rarely finds a Catholic child enrolled in the public schools. Why is this true? A major reason is that church authorities frown upon attendance in the public schools on the part of Catholic youth if there is a Catholic school accessible. Also, the school is held to be a vital agent in teaching religion and morality to youth. If the parents in a home are Catholics, it stands to reason that they will desire their children to be introduced to and indoctrinated with the precepts of their religion at an early age.

In an effort to discover the reasons why parents desire their children to attend Catholic schools, apart from denominational

encouragement in that direction, the writer prepared a simple questionnaire, a copy of which is contained in the appendix of this study. This questionnaire was mailed to approximately one hundred pairs of parents in Texas whose children attend Catholic parochial schools. Forty-four usable questionnaires were returned to the writer by their recipients. Some of the findings from this questionnaire will be presented in tabular form and discussed at this point.

Table 6, on the following page, indicates the religious affiliations of parents whose children attend Catholic parochial schools, and presents information concerning the enrollment of their children in such schools.

In only sixteen (36.3 per cent) of the forty-four families were both of the parents members of the Catholic Church, while twenty-eight families (63.6 per cent) indicated that both parents were not Catholics. In families in which both parents were not Catholics, three times as many mothers as fathers were Catholics. Forty-one (93.2 per cent) of the families indicated that all school-age children within the families were attending a Catholic parochial school. Of the thirty families which had children below school age, twenty-nine (65.9 per cent) stated that these young children would be sent to a Catholic school when they reached the required age. The five families with children above school age who did not attend Catholic schools indicated that the reason for this non-attendance was the inaccessibility

TABLE 6

**RELIGIOUS AFFILIATIONS OF PARENTS WHOSE CHILDREN ATTEND
CATHOLIC PAROCHIAL SCHOOLS, AND INFORMATION REGARDING
THE ENROLLMENT OF THEIR CHILDREN IN SUCH SCHOOLS,
AS RECEIVED FROM A SELECTED GROUP
OF PARENTS IN TEXAS**

Questions	Responses			
	Yes		No	
	Number	Per Cent	Number	Per Cent
Are both parents Catholics?	16	36.3	28	63.6
Is only the father Catholic?	5	11.3		
Is only the mother Catholic?	15	34.1		
Do all school-age children in the family attend a Catholic school? . . .	41	93.2	3	6.8
Will those children now below school age be sent to a Catholic school when they reach the required age? . . .	29	65.9	1	2.3
If there are children in the family above school age who did not attend Catholic schools, was it because such schools were not accessible? . . .	5	11.3		

of Catholic schools. From the data in Table 6, it is apparent that a number of families in which only one or neither of the parents was a Catholic sent all of their children to Catholic parochial schools. Two of these non-Catholic families indicated on their questionnaires that one or the other of the parents was receiving the required instruction for reception into the Catholic faith.

Ten reasons were included in the questionnaire to explain why both Catholic and non-Catholic parents sent their children to parochial schools. Respondents were requested to check any of the reasons that might be applicable in their particular case. A few respondents checked all of the reasons, most checked several reasons, while a few did not check any of the reasons. Table 7, on the following page, presents the list of reasons, together with the number and per cent of respondents who checked each reason.

Strangely enough, the fact that the parents may have been educated in Catholic schools appears to have had little influence in their decision to send their own children to such schools. Only nine (20.4 per cent) of the forty-four families indicated that the parents' education in Catholic schools was influential in causing them to send their own children to such schools. The fact that the public schools are seriously overcrowded was mentioned by fifteen respondents (34.1 per cent) as a reason for their children's attending parochial schools.

TABLE 7

**REASONS CHECKED BY A SELECTED GROUP OF PARENTS IN
TEXAS TO EXPLAIN WHY THEIR CHILDREN WERE BEING
SENT TO CATHOLIC PAROCHIAL SCHOOLS**

Reasons	Affirmative Responses	
	Number	Per Cent
Religion of the family is Catholic	28	63.6
Catholic schools are more efficient	29	65.9
You as a child were trained in a Catholic school	9	20.4
Public schools are overcrowded	15	34.1
Not enough individual attention is given in the public school	25	56.8
You want your children trained by Catholic instructors	29	65.9
You believe teachers in Catholic schools are better trained or qualified to teach.	30	68.1
You feel that more emphasis is placed on religion in Catholic schools.	26	59.0
You feel that more emphasis should be placed on religion in education	30	68.1
You believe that Catholic schools provide a better moral atmosphere	34	77.3

The fact that Catholic schools were believed to provide a better moral atmosphere was mentioned as a reason by thirty-four respondents, representing 77.3 per cent of the total number. This was the largest number of persons checking any one reason. However, thirty respondents (68.1 per cent) checked their belief that teachers in Catholic schools are better trained and qualified to teach, and their feeling that more emphasis should be placed on religion in education. At the same time, twenty-nine respondents (65.9 per cent) checked their belief that Catholic schools are more efficient, and their desire to have their children trained by Catholic instructors. Twenty-eight of the respondents (63.6 per cent) indicated that the fact that the religion of the family is Catholic was partially responsible for their wanting their children to attend parochial schools. Twenty-six (59.0 per cent) expressed their belief that more emphasis is placed on religion in Catholic schools than is true in the public schools. Twenty-five respondents (56.8 per cent) indicated their belief that more individual attention can be given to the pupils in Catholic schools because of the smaller numbers of children enrolled and the more favorable pupil-teacher ratio.

An examination of the returned questionnaires revealed that non-Catholic parents tended to emphasize, in their reasons checked, the fact that Catholic schools are more efficient, their belief that teachers

in Catholic schools are better trained and qualified to teach, their desire to have their children influenced by the better moral atmosphere of Catholic schools, and their approval of the greater emphasis upon religion in the parochial schools.

Respondents were encouraged to write comments in amplification of any of the items on the questionnaire. A number of typical comments thus supplied in connection with their reasons for sending their children to Catholic schools will be quoted at this point.

One mother, whose two children had already completed their education, wrote:

I had two children educated at these parochial schools. My purpose for sending them was—Here they are surrounded by a Christian atmosphere and here they not only receive a good secular education but a Christian education—an education of both heart and mind, which I think is necessary for really good citizenship.

Another respondent pointed out that Catholic schools have "done a great service to our country." She continued:

. . . Besides the fact that they train our children to be good students, good Christians and good citizens, they save the locality and the states vast sums of money yearly. These parochial schools are now serving over 3,000,000 children, Catholic and Protestant, and without cost to the taxpayer or the states.

Now what do you think would happen if these schools were closed and we taxpayers would have to provide for these millions? With already a shortage of teachers, buildings and equipment, I think it would be a catastrophe.

One respondent commented:

Our family is Protestant (Methodist). We sent two children to Catholic school because we believed it would be superior in education to public school, and we still think so.

Another respondent wrote a very thoughtful and intelligent comment, as follows:

We feel that the religious training our child is getting at the Catholic School along with her regular studies is one of the best a family could offer any child. We are not Catholic and our child is not being "trained" or what you would have it called, to be Catholic, but later should she feel that being her choice, it would please us, knowing she was in the church instead of not caring. There is too much outside interest in our public schools. Sports, programs, visitations, and all are fine but let's not overlook the value of our lessons.

One respondent pointed out the overcrowded conditions and the lack of individual attention in the public schools. His comment is reproduced below as he wrote it:

To my thinking public school Teachers have to many children to look after and on the other hand there are I think 50% marrid and that puts something on there minds and the outhers are thinking about outher things and pay day and that is my thinking the way I do—and the reason. I want my Grand dauther to go to a Catholic School.

The following comment from Protestant parents throws an interesting light upon typical non-Catholic reactions to the Catholic program of religious education:

Dr. — and I are both protestants—we are very pleased with the work our two boys are doing in their second year at St. Anthony's.

However, we do feel that the courses offered in "Religion" are too difficult, and at times entirely unintelligible to children with a Protestant background. We would prefer a more non-sectarian type of religious training.

The comment to follow emphasizes the importance of the religious training to be had in Catholic schools:

I believe that, Sisters' lives being dedicated to God and teaching, they are better qualified in the teaching of children.

Children raised in a Parochial School have a thorough knowledge of the four R's and also a love and respect for God and mankind which cannot be beat in making a good citizen.

One respondent indicated that the reason her child was attending a Catholic school was that the child was of kindergarten age, and the only kindergarten available was that operated by the Catholic school. She stated that, since the family was Protestant, the child would be enrolled in the public schools when she had completed her year in kindergarten.

Said one respondent:

There is no favoritism among the children in a Catholic school. From their early start in childhood I believe its very important they attend a Catholic school. Makes them better citizens and above all they know their religion like they should.

One respondent commented on the superior efficiency of Catholic schools, as follows:

Most of my friends are non-Catholic whose children attend public schools, and all of them have commented how much more my child learns at St. Anthony's than theirs do, also the report card from one public school hasnt got half

the things on that St. Anthony's covers. Theirs just covers education alone.

One non-Catholic, who was taking instruction in preparation for uniting with the Catholic Church, wrote:

I wish for my children to receive Catholic instruction & be Catholic as I feel it is the true Church & that later in life they will be fine boys and girls because of their faith & belief in their Religion.

From a community in which there was a Catholic elementary school but no Catholic high school, a parent wrote:

I have wished over and over we had a High School here, my 15 year old son would be going to a Catholic School, instead of public.

A Protestant father whose wife is a Catholic wrote as follows:

I am Methodist & although my wife is Catholic she did not insist that we send them to Catholic school although naturally I am sure she preferred it. It made the decision myself not because of religious training but mainly because I believe the teaching methods are better.

From the typical comments quoted above, it is apparent that the principal reasons for sending children to Catholic schools were those related to the superior educational opportunities thought to be afforded by these schools, and those having to do with religious training and doctrinal instruction.

Table 8, on the following page, indicates the attitudes of the parents in regard to emphasis upon religion in the public schools.

To the question, "If religion were emphasized in the public schools, do you feel you would as soon your children were educated

TABLE 8

**ATTITUDES OF A SELECTED GROUP OF PARENTS WHOSE
CHILDREN ATTEND CATHOLIC PAROCHIAL SCHOOLS
IN REGARD TO EMPHASIS UPON RELIGION
IN THE PUBLIC SCHOOLS**

Questions	Responses			
	Yes		No	
	Number	Per Cent	Number	Per Cent
If religion were emphasized in the public schools, do you feel you would as soon your children were educated there? . . .	4	9.1	36	81.8
Do you think non-sectarian religious training should be available in the public schools? . . .	23	52.3	16	36.3

there?" only four of the forty-four respondents (9.1 per cent) answered affirmatively, while thirty-six (81.8 per cent) stated that they still would prefer to send their children to Catholic schools, even if religion were given a place in the curriculum of the public schools. Perhaps this almost unanimous response is due to feelings of denominational loyalty, to a hesitancy to incur the displeasure of church

authorities, and to a sincere belief that the educational program of the Catholic schools, apart from their program of religious instruction, is superior to that offered by the public schools.

To the question, "Do you think non-sectarian religious training should be available in the public schools?" twenty-three of the forty-four respondents (52.3 per cent) answered affirmatively, while sixteen (36.3 per cent) answered negatively, and several did not answer at all. Although these parents wish their own children to attend Catholic schools, they tend to favor a program of non-sectarian religious instruction in the public schools.

Several of the respondents wrote comments in regard to some phase of religious instruction in the public schools. Some of the typical comments will be quoted here as a means of amplifying the responses to the questions appearing in Table 8.

One respondent commented as follows:

To question no. 5 I said I didn't think non-sectarian religious training should be available because each of the different religions hold different views on many points. I think that if some way could be worked out where each child according to his belief or church could be taught by a member or minister of his church, then it would be all right.

Another wrote:

Truly non-sectarian religious training would be difficult to achieve and probably quite ineffective. You asked no questions regarding the released time programs in effect in some states. This is the only way I can see for providing

religious training in the public schools—where the students are released to their individual churches at set times during the week for religious instruction—or perhaps religious classes could be conducted at the schools by the various churches, simultaneously, each student attending the classes for his family's religious denomination. Nothing of the sort would ever be as good, however, as the constant training by the Sisters, who, in everything they do and in all they teach, emphasize God, goodness, purity, Christian charity, patience. This is invaluable.

One respondent stated that, even if a sound program of non-sectarian religious training should be incorporated into the curriculum of the public schools, he would still prefer that his own children attend a Catholic school because there "children receive or get more discipline."

In commenting on the question of providing non-sectarian religious instruction in the public schools, one respondent wrote as follows:

It would rouse much confusion if non-sectarian religious instruction were taught in the schools. I prefer "release time" so each child can attend his or her denomination for religious instruction.

I attended public school, graduated from High school. The only time God was mentioned was in the assembly once a week. The principal, a protestant, read a small passage from the Bible.

Yes I want my children to attend catholic school. They are taught the word of God. Also taught better moral standards of life. If a child is slow to learn the kind Sisters give that child all the attention it needs. They give all their devoted time & skill. Its their lifes work. In public school the teachers have to many worldly problems besides teaching. If you learn the lesson you were fortuhate. If not you had to struggle without assistance or attention from the teacher.

Another respondent said:

I don't believe in teaching religion in public school because there is too many different kinds and I can't see where it would be possible.

The above typical comments indicate that this group of parents would prefer that their children continue to attend a Catholic parochial school even if religious instruction were offered in the public schools. They do not tend to favor non-sectarian religious instruction in the public schools, but prefer a program of "released time" to permit the children to go to their own churches or to attend special classes at school at specified periods each week in order to receive religious instruction according to the doctrines of their own denominations.

CHAPTER IV

FEDERAL AND STATE AID TO PAROCHIAL EDUCATION

Compulsory Support of Sectarian Education

Prior to the Civil War, there were few states that specifically prohibited the use of public funds for the support and maintenance of sectarian education. President Grant, in his address to the Army of the Tennessee at Des Moines in 1875, had this to say about the financial support of sectarian education:

. . . The free school is the promoter of that intelligence which is to preserve us. . . . Encourage free schools, and resolve that not one dollar appropriated for their support shall be appropriated to the support of any sectarian school. . . . Leave the matter of religion to the family circle, the church, and the private school supported entirely by private contributions. Keep the church and state forever separated.¹

In a later message to Congress, President Grant recommended an amendment to the Constitution which would forbid the teaching of religious tenets in any public school and prohibit the granting of school funds for the use of any religious sect or sectarian school. In order

¹"The State and Sectarian Education," Research Bulletin of the National Education Association, XXIV, 10.

to achieve these goals, James G. Blaine in 1876 introduced a proposed amendment for the consideration of Congress. This amendment, designed to carry out Grant's suggestion, won approval from the House of Representatives but failed to receive the necessary two-thirds vote of the Senate.² Therefore, it was never submitted to the states for ratification. That same year, by means of a resolution, Congress stipulated that all states admitted to the Union thereafter must adopt an irrevocable ordinance guaranteeing freedom of religion and providing "for the establishment and maintenance of a system of public schools, which shall be open to all children of said state and free from sectarian control."³ Later, in 1889, Congressman Blair introduced another proposal to amend the Constitution by forbidding a state to make or maintain a law permitting religious instruction in the public schools or promoting the welfare or advantage of any religious body over others. At the same time, this amendment, if adopted, would have established a free public school system throughout the nation, guaranteed by federal funds, with the provision that no money—state, local, or federal—should or could be given to sectarian schools. This proposed amendment, like the first, did not win the approval of Congress.⁴

²18 Congressional Record, pp. 5189-92, 5580-95.

³Felix Frankfurter's opinion in McCullum v. Board of Education, 333 US 203.

⁴99 Congressional Record, p. 433.

It was during this time that most states were including in their constitutions provisions which prohibited the use of tax revenues for sectarian purposes. In 1946, all of the states had this provision, directly or indirectly, except Maine and North Carolina; but in Arkansas, Iowa, and New Jersey the provisions were limited.

The provisions vary from state to state, not only in the language in which they have been formulated, but also in their scope. Sometimes the term "public money" is used, indicating that any revenue is restricted, regardless of source. In other states, the expression used suggests that all state money is limited, but not revenues collected locally. Frank and unquestionable statements to the effect that no public money may be used for sectarian purposes or appropriated for sectarian purposes or for sectarian institutions are contained in the constitutions of twenty-eight states, in twelve of which specific mention is made of funds collected locally. In four states, however, the provision refers to state funds only, while in the others the provision is general and would probably be interpreted to mean both state and local funds.⁵

The constitutions of twelve states make definite statements with regard to school money, but in one of these states, Oklahoma, this restriction of funds to non-sectarian instruction refers only to the

⁵"The State and Sectarian Education," Research Bulletin of the National Education Association, XXIV, 11.

permanent school fund and proceeds from the sale of lands granted to the state by Congress for educational purposes. Florida and Massachusetts, in this group of states, make special mention of local school funds as well as state school funds from all sources. Among the other state constitutions, there are variations in provisions and in the language in which these provisions are stated. Some name only the common school fund; others refer to state school funds, or may mention public-school and university funds.

Table 9 presents information showing the dates of the first state action in the respective states designed to forbid sectarian instruction in the public schools of the states and also the years in which legislative action was taken to forbid the use of public funds for the maintenance and support of denominational schools, in whole or in part.

TABLE 9

DATES WHEN THE RESPECTIVE STATES ENACTED LEGISLATION FORBIDDING SECTARIAN INSTRUCTION IN THE PUBLIC SCHOOLS AND THE USE OF PUBLIC FUNDS FOR THE SUPPORT, IN WHOLE OR IN PART, OF DENOMINATIONAL SCHOOLS*

States	Date When Religious Instruction Was Forbidden in Public Schools	Date When Public Funds Were Forbidden for Sectarian Schools
Alabama	1852	1854
Arizona	1879	1879

TABLE 9—Continued

States	Date When Religious Instruction Was Forbidden in Public Schools	Date When Public Funds Were Forbidden for Sectarian Schools
Arkansas		1868
California	1855	1855
Colorado	1876	1876
Connecticut		1818
Delaware		1897
Florida		1887
Georgia		1868
Idaho	1890	1890
Illinois	1836	1870
Indiana	1853	1851
Iowa		1857
Kansas	1876	1855
Kentucky	1893	1850
Louisiana	1855	1864
Maine	1916	1820
Massachusetts		1810
Michigan		1835

TABLE 9—Continued

States	Date When Religious Instruction Was Forbidden in Public Schools	Date When Public Funds Were Forbidden for Sectarian Schools
Minnesota	1907	1868
Mississippi	1922	
Missouri	1835	1875
Montana	1872	1889
Nebraska	1871	1886
Nevada	1864	
New Hampshire	1792	
North Carolina		1876
North Dakota	1887	1889
New Jersey		1875
New Mexico	1897	1911
New York	1842	1820
Ohio		1851
Oklahoma	1890	1907
Oregon		1857
Pennsylvania		1874
Rhode Island		1843

TABLE 9—Continued

States	Date When Religious Instruction Was Forbidden in Public Schools	Date When Public Funds Were Forbidden for Sectarian Schools
South Carolina	1871	1868
South Dakota	1887	1889
Tennessee		1870
Texas	1870	1845
Utah	1892	1895
Virginia	1847	1902
Washington	1883	1889
West Virginia		1872
Wisconsin	1848	1848
Wyoming	1886	1889

*Burton Confrey, Secularism in American Education, pp. 123-125, as cited in O'Neil, Religion and Education under the Constitution, pp. 141-143.

Table 10, on the following page, presents the most recent dates when certain states in the Union specifically authorized appropriations of public money for the maintenance of schools founded and conducted by religious groups. Although public subsidies to such schools were

TABLE 10

MOST RECENT DATES WHEN CERTAIN STATES
SPECIFICALLY AUTHORIZED THE USE OF
PUBLIC MONEY FOR THE MAINTENANCE
OF SECTARIAN SCHOOLS*

State	Date
Maryland . . .	1818
Pennsylvania . . .	1838
New Hampshire . . .	1845
New Jersey . . .	1846
Indiana . . .	1855
California . . .	1870
New York . . .	1871
Texas . . .	1874
Mississippi . . .	1878
New Mexico . . .	1897

*O'Neil, Religion and Education under the Constitution, p. 143.

common and almost universal in the early days of the nation, when public schools were either non-existent or inefficient, this table shows that not since 1897 has any state specifically authorized the expenditure of public funds for the operation of a sectarian school. This most recent instance occurred in New Mexico, whose system of public schools was slow in developing.

Thus it is apparent that no instance has occurred in many years when a tax levy was made for, or a direct appropriation of public funds was given to, sectarian schools. With the establishment and growing efficiency and availability of public schools throughout the land, the need for public aid to parochial schools declined. In most instances, when aid was given to these schools in the early days from public funds, such grants were made available because parochial schools were, at that time, the only ones serving the community and it was felt that the public should help to bear the expenses of these schools, since they were educating the children of all the people. When public schools became generally available, however, all sense of obligation for the support of parochial schools from public funds disappeared, since most of the children now attended the public schools.

The Constitution of the State of New York states, in Article XI, Section 4:

Neither the state nor any subdivision thereof shall use its property or credit or any public money, or authorize or permit either to be used, directly or indirectly, in aid or maintenance, other than for examination or inspection, of any school or institution of learning wholly or in part under the control or direction of any religious denomination, or in which any denominational tenet or doctrine is taught, but the legislature may provide for the transportation of children to and from any school or institution of learning.⁶

The final clause of the above quotation was added to the section after the superior courts of the state had held it to be unconstitutional for

⁶Remmlein, School Law, p. 322.

parochial school pupils to be transported to and from school at public expense under the provisions of the state constitution as it was then written. The case in which the courts handed down this decision will be discussed at more length in the section of this chapter relating to transportation of school children to parochial schools. A somewhat similar constitutional amendment was adopted in New Jersey as a result of court decisions in the *Everson* case in that state.⁷

In 1818, Connecticut revised its constitution so as to prohibit multiple establishments that would afford unnecessary duplications in educational services. Another purpose of the constitutional revision was that of insuring that all public funds which might be appropriated for education should be used exclusively for public education. The pertinent section of the revised constitution of Connecticut provided, first, that the support and maintenance of church buildings and ministers should be "by a tax of the members of any such society only, to be laid by a major vote of the legal voters assembled at any society meeting"; and, second, that "the fund, called the school fund, shall remain a perpetual fund, the interest of which shall be inviolably appropriated to the support and encouragement of the public or common schools, throughout the state . . . and no law shall be made,

⁷ The *Everson v. Board of Education* case is discussed in the later section of this chapter dealing with transportation.

authorizing said fund to be diverted to any other use than the encouragement and support of public or common schools . . . "8

The example set forth by Connecticut was soon followed by other states in the East, and by new states upon their admission to the Union. The pattern followed was that laid down by the Bill of Rights and, in particular, the First Amendment to the Constitution of the United States. With respect to education, these provisions carried a two-fold purpose: to ban teaching of sectarian doctrines in the public schools, and to restrict the use of public funds exclusively for public education. By the end of the nineteenth century, two states only had failed to prohibit by constitutional provisions or by act of legislation either the teaching of sectarian doctrines in the public schools, or the use of public funds for religious schools, or both.⁹

A number of states provide that "no religious sect or sects shall ever control any part of the common school fund or university funds of the state,"¹⁰ but all states having this provision, with the exception of Kansas, have also a more direct and specific provision against diversion of public money for sectarian education. Kansas is

⁸V. T. Thayer, Attack upon American Secular Schools, p. 91.

⁹A. W. Johnson, The Legal Status of Church-State Relationships in the United States, p. 273.

¹⁰Constitution of the State of Kansas, 1861, Article VI, Section 8.

the only state having this constitutional provision without any other qualifying or elaborating statement.

In regard to these provisions concerning the use of public funds for the maintenance or support of church-related schools, some states are somewhat vague and indefinite in their constitutional treatment of the issue; whereas, others are exceedingly detailed and specific in regard to this matter. South Carolina's provision is an example of an unusually detailed statement of policy:

The property or credit of the State of South Carolina, or of any county, city, town, township, school district, or any other subdivision of the said State, or any public money, from whatever source derived, shall not by gift, donation, loan, contract, appropriation, or otherwise, be used directly or indirectly, in aid or maintenance of any college, school, hospital, orphan house, or other institution, society, or organization, of whatever kind, which is wholly or in part under the direction or control of any church or of any religious or sectarian denomination, society, or organization.¹¹

There are also constitutional provisions which are not so pointed and dogmatic but which probably would be invoked to safeguard tax revenues of any kind for the sole use of programs of public education. Six states prohibit taxation for the erection or repair of any place of worship: Alabama, Arkansas, Iowa, Kentucky, New Jersey, and Virginia. This provision could be interpreted as a prohibition against the construction or repair of sectarian schools at public expense, but

¹¹ Constitution of the State of South Carolina, 1895, Article XI, Section 9.

would not prevent indirect aid to such institutions, nor even direct aid unrelated to the erection or repair of a building. Outside of Maine and North Carolina, in which states there is no constitutional provision whatsoever regarding the use of public money of any kind for sectarian educational purposes, New Jersey is the least protected state in regard to the use of public funds for sectarian instruction.¹²

Tax Levies and Appropriations

By the beginning of the nineteenth century, the rudiments of state public-school systems had been established, and state-aid legislation was soon placed upon the statute books of the various states. At that time, alongside of the new public schools, there were many schools owned and operated by trusts and by religious bodies. The first type of controversy arose over special laws enacted for the benefit of individual private schools; and during the early part of the century the courts of several states were called upon to render decisions as to whether public funds could be given to private schools under the terms of the respective state constitutions.

The case of Jenkins v. Andover¹³ serves to emphasize the thinking of earlier days in regard to this problem. In 1869, a

¹²"The State and Sectarian Education," Research Bulletin of the National Education Association, XXIV, 12.

¹³103 Massachusetts 94 (1869).

Massachusetts statute enabled the town of Andover, by special provision, to raise funds by means of taxation and to appropriate money to aid the trustees of the Punchard Free School in building a school house to be used as a public school, and to aid in defraying the annual expenses of the school. The school was founded by a charitable bequest which vested the control of the institution in trustees who were to be limited to members of a specified church. The Act of 1869 attempted to designate the school as under the superintendence of the town and provided for the election of trustees by the townspeople, without consideration of the religious affiliations of the trustees thus elected; but these provisions violated the will of the donor of the school in that under that document the school was to be managed by trustees chosen by and from the membership of a specified religious body. The Constitution of the State of Massachusetts contained the following words: ". . . and such moneys shall never be appropriated to any religious sect for the maintenance exclusively of its own school."¹⁴

When the case came up for hearing and decision, the court held that it was illegal to operate the school under the provisions contained in the will of the donor of the institution, since, in Massachusetts, the

¹⁴Constitution of the State of Massachusetts, Amendment XVIII, adopted in 1855, and superseded by Amendment XLVI, in 1917, as cited by the National Education Association, Research Bulletin, XXIV, 15.

constitution forbade the raising of money by taxation for the support of a school in which the trustees were required to belong to a particular religious sect.

Following the same principle—that the school funds were required to be used only for public-school support—and bolstered by the additional constitutional prohibitions against aid to sectarian institutions, the apportionment of state funds for sectarian schools was disapproved by judicial decisions in New York in 1851, in Mississippi in 1879, in Nevada in 1882, in Illinois in 1888, and in South Dakota in 1891. As late as 1892, the Kansas court declared illegal a tax levied and collected for the benefit of two denominational schools.¹⁵

The court cases involving public appropriations for educational purposes have been concerned with diversified situations, all of which, however, have served to clarify the principle of the separation of the church from all programs of state education. In New York, the Legislature of 1848 declared that orphan asylums in Brooklyn should participate in appropriations from the common school fund in proportion to the number of children between the ages of four and sixteen years who were housed in each asylum for orphans; but a court held that a Roman Catholic orphanage in Brooklyn could not be given its proportionate share of these funds, since the Constitution of the State

¹⁵Ibid.

of New York provided that the capital of the common school fund should be held inviolate and the revenues derived therefrom should be used for the support of common schools only. An orphanage or a school, said the court, does not come within the definition of a "common school" if it is maintained under the auspices of a church or of a religious body.¹⁶

A question somewhat like the above arose in Nevada. In 1866, the Nevada Orphan Asylum, an institution maintained by the Roman Catholic Church, sought a legislative appropriations measure of \$10,000 through the medium of a special bill introduced into the state legislature. At the same session of the legislative body, the Episcopal Orphanage introduced a similar bill. Action on the Episcopal bill was postponed indefinitely, but the Catholic bill was eventually approved following a lengthy period of debate during which its sponsors refused to accept a proposed amendment to the bill to the effect that the appropriation be conditioned on the elimination of sectarian instruction in the Catholic orphanage. The Senate Committee on Ways and Means, to which these bills had been referred, submitted a report in which the committee made plain its position that neither of these bills should be given favorable consideration. In part, the Committee on Ways and Means commented as follows:

¹⁶People v. Board of Education, 13 Barb. 400 (N. Y. 1867), as cited by the National Education Association, Research Bulletin, XXIV, 15.

They ask for the sum of twenty thousand dollars, substantially for the same objects, that is, to enable them to train up children in the tenets of religious belief of the respective churches, . . . which is commendable zeal for the progress of these denominations, as the right training of the children is the best way to build up churches. But if the state contributes twenty thousand dollars toward building up and strengthening those churches, and making provisions thus for future increase in Episcopal pastors, and laymen, other denominations . . . will feel equally entitled to similar appropriations; and thus the revenues of the state might be absorbed to such an extent as to endanger its ability to pay its bonds, interest, and other obligations, for which its faith is already pledged, or which may be necessary for ordinary current expenses.¹⁷

Since this report was framed by the committee charged with the responsibility of recommending sources of state revenues and the types of expenditures which should be authorized from these revenues, the solidly practical point of view encompassed in the report is readily understandable. The bill seeking state funds for the aid of the Episcopal orphanage was postponed indefinitely; and, although the bill seeking a similar sum for the benefit of the Catholic orphanage was eventually passed by the legislature, it was vetoed by the governor.

In 1878, the Legislature of Mississippi enacted a high-school law whereby pupils attending a private institution which had certain prescribed faculties could collect their pro rata share of the common school fund just as though they were attending the public school of the district. No mention was made in this law of the fact that only

¹⁷National Education Association, Research Bulletin, XXIV, 15.

non-sectarian private schools would satisfy the legal requirement. In a test case, this law was held to be unconstitutional because it did not specify that such private schools should be free of all religious instruction; and if the law were applied to all private schools, those maintained by religious groups for the promulgation of sectarian doctrines would be included, contrary to constitutional provisions.¹⁸ The Constitution of the State of Mississippi provided that "no religious sect or sects shall ever control any part of the school or university funds of this state."¹⁹ The above case indicates that the constitutional prohibition applies to appropriations in potential aid of sectarian schools, as well as to actual aid.

Apparently, pressure was sufficient in most states, together with the state constitutional prohibitions, to discourage sectarian interests from attempting to obtain public aid for the support of their schools. No case came before the courts challenging this principle after the turn of the twentieth century, with the exception of a case in Illinois.

In a previous case, the Illinois courts had held that "a constitutional mandate cannot be circumvented by indirect methods. Under our form of government, church and state are not and never can be

¹⁸Otkan v. Lamkin, 56 Mississippi 758 (1879).

¹⁹Constitution of the State of Mississippi, Article VIII, Section 208.

united. The former must pursue its mission without aid from the latter."²⁰ It was after this decision that the Chicago Industrial School for Girls acquired a site and built a school which was under the supervision and control of the Roman Catholic Church. Girls were maintained in this school for a charge of \$15 per month per girl, which was about half the charge in other institutions and was not enough to cover the cost of maintenance. The deficit was taken care of by the church. In 1917, the court approved the use of county funds to be paid to the school at the rate of \$15 a month per girl enrolled. In approving this grant, the court held that no aid was, in fact, being given to the school, and asserted that it was not the school but the state that would benefit by the act which authorized these appropriations from public funds. The operation of the school at such a low cost and at the cost of only \$15 per month per girl to the state was, in the opinion of the court, something desirable, although the court admitted that there was no question that the school was sectarian.²¹

With the exception of this case, no cases have come before the higher courts involving direct aid to sectarian schools since 1900. The issues with which the courts have had to deal since that date

²⁰ Cook County v. Chicago Industrial School, 18 N. E. 183 (1888).

²¹ Dunn v. Chicago Industrial School, 117 N. E. 735 (Illinois 1917).

have concerned themselves with indirect aid to parochial schools in such forms as free textbooks and free transportation facilities to pupils who attend church-related schools.

Free Textbooks

The question of aid to church-sponsored schools from public funds has been hotly debated almost continuously since the origin of the public school system in the United States. Many arguments have been advanced in support of both sides of the issue. In brief, however, the contentions of the religious groups (predominantly Catholic) can be summarized in their insistence that the money of Catholic taxpayers is an important part of the total state funds and that the parochial schools educate many pupils who would otherwise be wholly the burden of the already overcrowded, overburdened public schools, and that therefore some part of the expense of this educational service performed by the parochial schools should be paid from public tax money. The opponents of state aid to parochial schools argue, on the other hand, that tax money paid by citizens of all religious faiths and of no faiths should not be used to promote the interests of a particular creed. In Oregon, the arguments between the two factions became so bitter that legislation was enacted to compel all the children in the state, Catholics as well as Protestants, to attend the public schools. It was hoped that the parochial schools would thus be legislated out of

existence. The Catholics, however, took the case to the courts and won a decision in 1925 to the effect that the legislation was unconstitutional.²² Consequently, the Catholics might continue to operate their parochial schools in Oregon, and Catholic children might continue to attend these schools, which, however, were not to have any share of public funds for their maintenance.

State constitutions have made provisions prohibiting the use of public funds toward the support of any sectarian school, or of any school which, at the time of receiving public funds, is not a part of the public school system of the state. These and other similar stipulations, until recently, have been interpreted as precluding the furnishing of free textbooks to schools that are not members of the state public school system.

As early as 1922, this particular question was decided by the Supreme Court of the State of New York in the case of Smith v. Donahue.²³ The court held that public funds could not legally be used to furnish textbooks and school supplies to parochial or other private schools which were not a part of the public school system of the state. The New York State Board of Education was furnishing textbooks and school supplies to certain parochial schools that were being operated

²²Pierce v. Society of the Holy Names of Jesus and Mary, 268 U. S. 510 (1925).

²³Smith v. Donahue, 195 N. Y. S. 715 (1922).

and maintained by the Roman Catholic Church, and these schools were in no way a part of the public school system of the state. The court ruled that it was the principle of the law, both constitutional and statutory, not to join religious instruction with secular education in the public schools, and that, accordingly, the state or a subdivision thereof could not legally aid the parochial schools operated for the purpose of furthering the doctrinal tenets of a particular religious faith. A position somewhat similar to this was taken by the courts of Maine in the case of Donahoe v. Richards.²⁴ State legislatures, courts, and school boards in general have accepted this position as valid and constitutional.

Since free textbooks are of central importance to instruction, few disinterested educators agree that it is possible for a state to supply textbooks to the pupils of a school without directly aiding and abetting the work of that school which is so aided. It may appear that, oddly enough, the point at which the violation of the First Amendment to the Constitution of the United States seems to be most outstanding is the very point to which the courts have given their seal of approval.

The position held by earlier courts, state legislatures, and school boards in relation to the question of free textbooks for church-controlled schools was reversed in 1930, when the Supreme Court of the

²⁴Donahoe v. Richards, 38 Maine 376 (1854).

United States heard arguments in the case of Cochran v. Louisiana State Board of Education.²⁵ This case grew out of an act passed by the Legislature of Louisiana which provided that the Severance Tax Fund "shall be devoted after allowing funds and appropriations as provided by the constitution of the state, first, to supplying school books to the children of the State of Louisiana," and the remaining sum to be "transferred to the state public school funds." Section 2 of the act provided that "the State Board of Education of Louisiana shall provide the said textbooks for school children free of cost to such children out of said tax fund." Thus it was apparent that the legislation, as enacted, did not distinguish between children enrolled in parochial schools and those attending public schools; all were to be supplied with the necessary textbooks out of the public funds of the state.

This act was passed by the legislature in the face of Article 53 of the state constitution, which reads, in part: "No money shall ever be taken from the public treasury . . . in aid of any church, sect, or denomination of religion, or in aid of any priest, preacher, minister, or teacher thereof."

Legal action on this legislation was brought on the grounds that the act violated the constitution of the state, as well as Article IV,

²⁵Cochran v. Louisiana State Board of Education, 281 U. S. 37

Section 4, and the Fourteenth Amendment of the Constitution of the United States.

Acting under the approval of the legislative grant, the Louisiana State Board of Education began the distribution of free textbooks to children enrolled in the parochial schools of the state, as well as to those who were attending the public schools. Cochran, a citizen of the State of Louisiana, filed suit to stop the practice of permitting the parochial schools to share in the grants of free textbooks from public funds, basing his complaint on the grounds mentioned above.

As a result of its hearings of the case, the Supreme Court of Louisiana held that the furnishing of free textbooks to children in parochial schools did not constitute a violation of the state or national constitutions. Although no mention was made of the First Amendment in the brief that was filed in the case, it was charged that the purpose of the act was to aid private, religious, sectarian, and other schools not within the public school system of the state by furnishing free textbooks to the children who attended such schools. In the following words, the Supreme Court of Louisiana pointed out that, in its opinion, the money used for the purchase of free textbooks for the school children of the state was not appropriated for the use of any school—private, sectarian, or even public:

One may scan the acts in vain to ascertain where any money is appropriated for the purchase of school books for the use of any church, private, sectarian, or even public

school. The appropriations were made for the specific purpose of purchasing school books for the use of the school children of the state, free of cost to them. It was for their benefit and the resulting benefit to the state that the appropriations were made. True, these children attend some school, public or private, the latter sectarian or non-sectarian, and that the books are to be furnished them for their use, free of cost, whichever they attend. The schools, however, are not the beneficiaries of these appropriations. They obtain nothing from them, nor are they relieved of a single obligation because of them. The school children and the state alone are the beneficiaries. It is also true that the sectarian schools, which some of the children attend, instruct their pupils in religion, and books are used for that purpose, but one may search diligently the acts, though without result, in an effort to find anything to the effect that it is the purpose of the state to furnish religious books for the use of such children. . . . What the statutes contemplate is that the same books that are furnished children attending public schools shall be furnished children attending private schools. This is the only practical way of interpreting and executing the statutes, and this is what the State Board of Education is doing. Among these books, naturally, none is to be expected adapted to religious instruction.²⁶

Thus, the opinion of the court was made clear in that the schools were in no way benefited by the act, but that the children and the state were the recipients of the benefits accruing from the legislation. This reasoning was accepted by Chief Justice Holmes of the United States Supreme Court in upholding the decision of the Supreme Court of Louisiana. He, too, held that the Fourteenth Amendment to the Constitution of the United States was in no way violated when the state supplied textbooks free of cost to the children enrolled in private and

²⁶168 Louisiana 1030 (1929), as quoted in Johnson and Yost, Separation of Church and State, pp. 147-148.

parochial as well as in public schools, provided, however, that the books distributed to children in parochial schools were identical with those supplied for children enrolled in the public schools and were non-religious and non-sectarian in character. Chief Justice Holmes said, in his opinion handed down in the case:

Viewing the statute as having the effect thus attributed to it, we cannot doubt that the taxing power of the state is exerted for a public purpose. The legislation does not segregate private schools, or their pupils, as its beneficiaries or attempt to interfere with any matters of exclusively private concern. Its interest is education, broadly; its method, comprehensive. Individual interests are aided only as the common interest is safeguarded.²⁷

Having taken notice of the court decision in the Cochran case in Louisiana, the Legislature of Mississippi also enacted a law which authorized the state to lend books to all the pupils of elementary schools in the state. Mississippi also had a section in its constitution which appeared specifically to prohibit the carrying out of this program of making books available to elementary pupils. Section 208 of the Constitution of the State of Mississippi provides that,

No religious or other sect or sects shall ever control any part of the school or other educational funds of this state; nor shall any funds be appropriated toward the support of any sectarian school, or to any that at the time of receiving such appropriations is not conducted as a free school.²⁸

²⁷281 U. S. 370 (1930).

²⁸Johnson and Yost, Separation of Church and State, p. 149.

In approving the act of the legislature, the Mississippi Supreme Court, when a case was submitted to it for decision, followed the general line of reasoning established in the case of Cochran v. Louisiana State Board of Education. The court held that the interests of the child and not those of the schools involved were served by the new legislation. Said the court: "If the pupil may fulfil its duty to the state by attending a parochial school it is difficult to see why the state may not fulfil its duty to the pupil by encouraging it 'by all suitable means.'"²⁹ The court further said that the "religion to which children of school age adhere is not subject to control by the state; but the children themselves are subject to its control."³⁰ In this case, the court reasoned that the appropriations for the maintenance and operation of the public schools of the state constituted a fund entirely separate from that which had been established for the supplying of textbooks to all of the school children of the state, and that the setting up of the textbook fund constituted no charge against any public school fund, properly so called, or against any trust fund available for particular schools or educational purposes. The books, the court contended, belonged to and were controlled by the state and were merely loaned to the individual pupils; hence, the privilege of requisitioning such books by qualified private

²⁹Thayer, The Attack upon the American Secular School, p. 119.

³⁰Chance v. Mississippi State Textbook Board, 200 So. 706 (1941).

or sectarian schools which would, in turn, lend them to their pupils, did not in any way give these schools any authority to exercise control of any type over any part of the funds of the state.

These two cases—the one in Louisiana and that in Mississippi—were the first two legal battles to arise in the United States over the question of whether states should or could legally furnish textbooks free of cost to children enrolled in parochial or other types of private schools. Although it had previously been the policy in most of the states to supply books free only to pupils attending the public schools, many states did not supply books even to the public schools until rather recent years. The action by the Supreme Court of the United States in the Louisiana textbook case, however, represented a new attitude toward this question. This decision said, in effect, that the granting of free textbooks to children enrolled in parochial schools should not be regarded as an aid to such schools, but rather as a benefit accruing solely to the pupils themselves and to the state, whose citizenry would thereby receive a better education than under the old plan of requiring each pupil to supply his own books. The function of the state as a supplier of textbooks would not assume any of the obligations which had belonged to the schools, and therefore the schools could not be said to benefit from the new policy; nor could it be said with veracity that sectarian education was being fostered by means of appropriations from the public funds. This new interpretation in regard

to the furnishing of free textbooks has not yet received general acceptance, although, by 1946, free textbooks were being furnished to pupils in parochial schools in at least five states.³¹

Legal cases involving this matter, such as those discussed above, give rise to several questions, including the following: What are the effects upon education and upon a church school when textbooks are merely "loaned" to pupils by the state? Does this practice constitute positive and undeniable assistance? To what extent do the decisions of the courts affect the growth of parochial schools?

There is room for little questioning of the fact that court decisions upholding the policy of the state's supplying free textbooks to all school children of the state, regardless of the type of school in which they are enrolled, has tended to encourage the enrollment of larger numbers of pupils in non-public schools. If these books were denied the parochial schools, it seems reasonable to assume that some children might be forced to go to a school in which the books were available without cost, since the necessity of purchasing the necessary books would prove to be a heavy financial burden in many families. Also, the practice of providing free textbooks puts in the hands of the instructional staff of the parochial schools materials and facilities which are indispensable for effective teaching. The furnishing of free

³¹National Education Association, Research Bulletin, XXIV, 36-42.

textbooks may make it possible to divert to other educational purposes the funds usually employed for the purchase of books for the parochial schools. Since some parochial schools have long had the policy of supplying the necessary books free to their pupils, there can be little question that such schools receive financial aid from the new policy of permitting the state to supply the books. In these cases, in spite of the decisions of the courts, it is obvious that the schools may receive more benefit than do the pupils.

Are there other complications that may arise from this practice?

Heavy pressure, in many cases, is exerted on those who select the textbooks to be distributed to the schools. Are we to assume that the leaders of the parochial schools will stand idly by and permit the selection of the textbooks to be made by representatives of public schools without making any effort to bring pressure to bear on those doing the selecting? Many writers view this particular aspect of the problem with considerable alarm, fearing that pressure from the Catholics will result in the choice of books written by Catholics or containing well-disguised but influential Catholic propaganda. Thayer has made the following comments in connection with this phase of the question:

Special interests and parochial conceptions under the guise of religious convictions or absolutes, which no one may question, will soon operate to destroy the integrity of textbook selection, corrupt the atmosphere in which textbooks are written, and render impossible the education of the free mind.³²

³²Thayer, The Separation of Church and State, p. 122.

And Johnson and Yost, in their book, The Separation of Church and State, present further food for thought along this line:

If it is conceded that textbooks essential to education may be furnished to all children through state appropriation, might it not be granted that athletic supplies or musical instruments are essential to an education and that therefore they might be properly paid for by the state? And that since teachers are necessary in furnishing children an education, all teachers should be paid by the state; that on whatever basis we justify the purchase of textbooks from public tax funds, on that same basis we may justify the purchase of buildings by public tax funds in which to study these books? May it not be that if government money can be used for church schools, it can be used for the support of our churches, and that we are moving toward a union of church and state in America?³³

Perhaps most of the above assumptions are far-fetched and without basis in fact, yet they are worthy of consideration. Now that some beginning has been made in furnishing free textbooks to parochial schools, no one can foresee what the end of the matter will be. With this victory, the Catholic Church may soon begin agitation for further concessions which may eventually be won if governmental policy is to be consistent. Whether all states will come around to the point of supplying textbooks to parochial schools, whether those states which at present provide this service will come to recognize the dangers inherent in such a policy and consequently abandon the practice, or whether parochial schools and other Catholic interests may succeed

³³ Johnson and Yost, Separation of Church and State, pp. 150-151.

in winning further concessions, are questions which remain unanswered but which doubtless hold problems for future action.

Transportation

Along with the provision of free textbooks for the children who attend parochial schools has come the question, in recent years, of whether or not such pupils should be provided with transportation to and from their parochial schools at public expense. In modern times, especially within the past two decades, the widespread movement toward the consolidation of schools has made necessary the development of a subsidiary educational service which previously was undreamed-of—provisions for the transportation of pupils to and from these consolidated schools. Today, there is hardly a small-town or city school system in the nation which does not operate one or more busses for transporting pupils to and from the schools, and many rural schools, also, provide the same service. The question is, Shall a school bus which runs regularly down a certain road, picking up children to be taken to the public schools in the near-by town, refuse to offer transportation also to children living on this same road, but who attend parochial schools in the same town?

The problem of transportation of pupils who attend parochial schools is currently a live issue. As has been indicated in the preceding paragraph, the consolidation of rural schools within recent

years has made necessary the providing of bus transportation for pupils to avoid traffic hazards on the highways and, in fact, to make it possible to have such consolidated schools. Many parents, desiring that their children attend a parochial school, wish to have the benefits of free transportation for their children to such schools. The first case of this sort occurred in Wisconsin, in a small rural district in which about thirty pupils were transported by bus to attend school in an adjoining district. Two of these pupils attended a parochial school, while the others were enrolled in the public schools.³⁴ In hearing the case, the court declared that the transportation contract by which the pupils were taken into the adjoining district was void, and the fact that only two of the pupils did not attend the public school did not save the contract from "its illegality, since the contract was indivisible." The school district, in closing its school, had the power to contract for transportation to near-by public schools only in lieu of maintaining its own local public school. Contracting for the transportation of private-school pupils was regarded by the court as an ultra vires act on the part of the school board, and the contract was therefore invalid.

Some ten years later, in South Dakota, a different question arose when a school was consolidated. As is true of most such statutes, permissive legislation in the state permitted the district to

³⁴State v. Melquet, 192 N. W. 392 (Wisconsin 1923).

transport pupils to an adjoining district or to pay for their lodging and board in the vicinity of the school which they were to attend. One parent in the district in which the school had been closed sent his children to a parochial school and attempted to collect from the district the cost of their tuition, board, and lodging. When the school board of the district refused to make such payments, the parent filed suit. In this case the courts decided that the district's responsibility for making provisions for the schooling of the pupils may not be discharged by paying, or becoming liable to pay, a sum of money in lieu of such educational provisions, to the parents of the pupils, thus permitting them to send their children to school wherever they wish. Nor could the district pay the parochial school for the educational services which it afforded to such children, since the parochial school is not a part of the public school system of the state.³⁵ In other words, the decision handed down by the courts in this case indicated that, when pupils are forced to attend school in a neighboring district because of the closing of the school in their own community, the home district is not in any way responsible for their education if they enroll in a parochial school; that is, funds for the privilege of such transfer can be paid only to a public school which such pupils attend, and if they do not attend a public school, their home district is not

³⁵Hlebanja v. Brown, 236 N. W. 296 (South Dakota 1931).

obligated to make any payments whatever in making their education possible.

At about this time, Delaware enacted legislation which authorized the appropriation of \$5,000 for the maintenance of transportation facilities to accommodate pupils attending any sectarian school outside the city of Wilmington. The State Board of Education refused to appropriate the money, although such appropriation had been duly authorized by legislative act; and a parent whose children attended a school coming under the provisions of the law sought court action to compel the State Board to provide transportation to a parochial school for his children. The court, however, upheld the action of the State Board in refusing to furnish the desired transportation and declared the law to be unconstitutional. Said the court:

We are of the opinion that to furnish free transportation to pupils attending sectarian schools is to aid the schools. It helps build up, strengthen, and make successful the schools as organizations.³⁶

Shortly after this case was decided, other court cases involving the question of providing free transportation for pupils who attend parochial schools came up for action in other states. The New York Court of Appeals invalidated a statute which authorized the furnishing of transportation at public expense to children who were attending

³⁶State v. Brown, 172 Atl. 335 (Delaware 1934).

parochial schools. The court, in acting upon this case, held that the statute was a violation of a constitutional provision which forbade the use of public funds, directly or indirectly, except for purposes of inspection, for the aid of any school in which denominational doctrines were taught.³⁷ The court defined transportation for pupils attending sectarian schools as aid to these schools, since perhaps many pupils were thereby enabled to attend who might otherwise not do so; thus, said the court, free transportation promoted the interests of the parochial school involved. Justice Crane, in a dissenting opinion, expressed the view that, since the law approved attendance at a private school, and since school attendance is compulsory, upon the selection of an approved private school by the parents, the board of education may, under the constitution, provide transportation to that school despite the fact that the school attended may not be a public one.³⁸ Thus, the reasoning of the court was divided, although the predominant opinion was that free transportation should not be made available to pupils of parochial schools.

At about the same time, the Supreme Court of Maryland reached the opposite conclusion.³⁹ In this instance, the reasoning of the court

³⁷ Judd v. Board of Education of Union Free School District, 2, 278 N. Y. 200, 15 N. E. (2nd) 576 (1938).

³⁸ Hamilton and Mort, The Law and Public Education, p. 222.

³⁹ Board of Education of Baltimore v. Wheat, 174 Maryland 314 (1938).

was similar to that of the dissenting opinion in the New York case. The aggregate majority opinion in the Maryland case upheld the free transportation of parochial school children on the theory that it is an exercise of the police powers of the state. Said the court:

School attendance is compulsory and attendance at private and parochial schools is a compliance with the law. It is in furtherance of a public function in seeing that all children attend some school and in doing so have protection from traffic hazards.⁴⁰

Other states, in the main, followed the New York decision rather than that formulated by the Supreme Court of Maryland; and, for the most part, transportation for parochial school pupils was declared to be unconstitutional. Oklahoma took this action in 1941,⁴¹ Kentucky in 1942,⁴² and Washington in 1943.⁴³ In declaring that the law requiring the state to furnish transportation to pupils in private schools was unconstitutional, the Kentucky court in 1942 remarked that the "child benefit" theory of Louisiana was "contrary to the great weight of authority, and . . . lacking in persuasive reasoning and logic." The Washington court held that neither the "child benefit" theory nor the police power of the state could contravene the constitutional

⁴⁰Ibid.

⁴¹Gurney v. Ferguson, 122 P. (2nd) 1002.

⁴²Sherrard v. Jefferson County Board of Education, 171 S. W. (2nd) 963.

⁴³Mitchell v. Consolidated School District, 135 P. (2nd) 79.

provisions prohibiting aid of any kind to sectarian schools, if such aid came from public funds, either local or state.

In spite of these court decisions and others which have not been mentioned, there were still, in 1951, some eighteen states which provided, in one way or another, for the transportation of children to non-public schools at public expense.⁴⁴ This policy, although it had largely been nullified by many state courts, received decided impetus when the Supreme Court of the United States, in the case of Everson v. Board of Education,⁴⁵ upheld, by a five-to-four decision, a New Jersey statute which permitted the parents of parochial school children to receive funds for fares paid by their children when traveling to and from school on public or commercial busses.

The question confronting the Supreme Court at the time was the constitutionality of a New Jersey statute which provided:

Whenever in any school district there are children living remote from any schoolhouse, the board of education of the district may make rules and contracts for the transportation of such children to and from school, including the transportation of school children to and from schools other than a public school, except such school as is operated for profit in whole or in part.

When any school district provides any transportation for public school children to and from school, transportation from any point in such established route shall be supplied to school children residing in such school district in

⁴⁴V. T. Thayer, The Attack upon the American Secular School, p. 45.

⁴⁵Everson v. Board of Education of Ewing, Supreme Court Reporter, 67:504.

going to and from school other than a public school, except such a school as is operated for profit in whole or in part.⁴⁶

In accordance with the provisions of the second paragraph quoted above, the school board authorized the payment to parents of children who attended both public and private schools, of sums sufficient to reimburse them for money expended for fares to and from school on the regular bus routes of the public transportation system. A taxpayer challenged the legality of such payments to parents whose children attended the parochial schools on the grounds that these remunerations constituted aid to parochial schools and hence violated the Constitution of the United States. The decision of the Supreme Court of the United States in this case is most interesting. In connection with the court's decision in this case, Justice Jackson remarked:

The undertones of the opinion, advocating complete and uncompromising separation of Church and State, seem utterly discordant with its conclusions yielding support to their commingling in educational matters. The case which irresistibly comes to mind is that of Julia who, according to Byron's report, "whispering, 'I will ne'er consent,' consented."

The principle upon which there was unanimous agreement among members of the Supreme Court, reads as follows, in the decision which ultimately was handed down by this judicial body:

The "establishment of religion" clause of the First Amendment means at least this: Neither a state nor the

⁴⁶Thayer, The Separation of Church and State, p. 106.

Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a person to go to or remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or non-attendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups and vice versa. In the words of Jefferson, the clause against establishment of religion by law was intended to erect "a wall of separation between Church and State." *Reynolds v. United States* supra (98 U. S. at 164, 25 L. ed. 249).⁴⁷

By a process of sifting and separating the issues involved, the court finally settled upon what it considered the crucial factor in the case before it; namely, that the public funds expended had furnished transportation to children on regular commercial bus routes and had functioned to conserve the health and safety of these children. Consequently, the court concluded as follows in its opinion:

The State contributes no money to the schools. It does not support them. Its legislation, as applied, does no more than provide a general program to help parents get their children, regardless of religion, safely and expeditiously to and from accredited schools.⁴⁸

The majority of the members of the Supreme Court appear to have decided this case on the same theory of child benefit as that

⁴⁷Supreme Court Reporter, 67:504.

⁴⁸Ibid.

employed by the same judicial tribunal in deciding the Cochran textbook case, which is discussed earlier in this chapter. According to Remmlein:

The New Jersey transportation law authorized the payment of transportation costs of all children attending public or private schools, except private schools operated for profit. Thus the language of the New Jersey statute is different from that of the Louisiana textbook law—yet sufficiently like it to have justified the majority decision were it not for the fact that the township school board resolution, implementing the statute, definitely and explicitly provided for the payment of fares of children attending the Catholic schools only. When the resolution and the statute are considered together, the majority opinion does not seem to be good reasoning.⁴⁹

Thus, the matter of transportation for pupils who attend parochial schools remains unsettled, and continues to be an issue over which controversies rage from time to time. Like the question of providing free textbooks for pupils who attend non-public schools, this matter of transportation is still a live issue and has not been finally and conclusively settled either by decisions of state courts or of the United States Supreme Court.

Even Catholics themselves are somewhat vague in their attitude toward these two problems, in modern educational practice so pertinent and pressing. Although, from selfish motives, Catholic leaders and the denomination as a whole would doubtless be happy to see free

⁴⁹M. K. Remmlein, School Law, p. 330.

textbooks and free transportation provided for all pupils who attend parochial schools, they recognize the fact that strong and bitter opposition would be forthcoming if such a plan were put into operation as a nation-wide practice. Certainly, they would like to see the attitude of the public undergo a change to the extent that it would come to accept the Catholic parochial schools as being equal to the state-supported public schools, and therefore entitled to share in all the financial and other benefits which the public schools enjoy. That day, however, has not yet come; and there is no assurance that it will ever come.

In November, 1952, voluble protests and strong opposition were aroused among the leaders of various Protestant denominations when the Catholic Bishops of America, in convention, issued a 3,000-word statement on the question of religion and education. In this carefully prepared statement, the Catholic bishops declared that it is the duty of the state to aid religious training. In addition, they branded as "utterly unfair" the denial of such services as tax-financed bus transportation for the pupils of Catholic schools.

A few days after this statement was issued, the Methodist Council of Bishops met in convention in Atlantic City. At that meeting, Bishop G. Bromley Oxnam of Washington, D. C., the secretary of the Council of Bishops, issued a statement, approved by the Council, in

which he called upon the Catholic bishops to state in "clear and unmistakable terms" whether or not they seek public support for Catholic schools. Bishop Oxnam challenged the Catholic leaders to define clearly their ultimate objectives in regard to tax aid for parochial schools. Before there can be any constructive discussion of school lunches, free textbooks, and free bus transportation for the pupils of Catholic schools, Bishop Oxnam pointed out, there must first come official assurance from Catholic leaders that such services are not looked upon as merely initial steps in the direction of total public support for parochial schools. In like manner, national officers of the Baptist denomination and of the Unitarian Church, among others, strongly opposed the statement issued by the Catholic bishops. The Unitarians declared that government aid to private schools would be "foreign to our tradition. . . . We sincerely regret that the leaders of a great religious body should recommend an experiment so foreign to our tradition and so dangerous to the religious autonomy of the individuals and churches among which they hold so honorable a place."⁵⁰

Thus, the issue remains unsettled, and there is considerable apprehension among leaders in education, among state officials, and among Protestant denominations as to what the ultimate hopes and

⁵⁰"Catholics Asked to Say If School Aid Is Sought," Fort Worth Star-Telegram, November 19, 1952.

intentions of the Catholics may be. Parochial schools have gained little sympathy from such leaders in their efforts to receive free textbooks and free transportation of pupils, and certainly they will encounter a bitter fight if any attempt is made to obtain for parochial schools any further benefits at the public expense.

What do the people who benefit from free textbooks and free transportation believe in regard to the availability of these services to the child who attend parochial schools? In an effort to ascertain the attitudes of such persons, the questionnaire utilized in this study contained two questions directly related to this matter. Table 11, on the following page, presents the information collected from the respondents, who were parents of children who attend Catholic parochial schools in Texas.

To the question, "Do you think such aids as free transportation, textbooks, etc., should be available to the students of Catholic schools as they are to the students of public schools?" thirty-five respondents (85.4 per cent) replied in the affirmative, while six (14.6 per cent) gave negative replies. That such aids would not, however, eliminate all of the problems was indicated in the second question to be found in Table 11. When they were asked, "Do you think that state and federal aid to students of Catholic schools would break down the 'barrier between Church and State'?" twenty-four of the respondents (61.5 per cent)

TABLE 11

**OPINIONS ON CERTAIN PHASES OF FEDERAL AND STATE AID
TO PAROCHIAL SCHOOLS EXPRESSED BY SELECTED
PARENTS WHOSE CHILDREN ATTEND CATHOLIC
PAROCHIAL SCHOOLS IN TEXAS**

Questions	Opinions			
	Yes		No	
	Number	Per Cent	Number	Per Cent
Do you think such aids as free transportation, textbooks, etc., should be available to the student of Catholic schools as they are to the students of public schools?	35	85.4	6	14.6
Do you think that state and federal aid to students of Catholic schools would break down the "barrier between Church and State"?	15	38.4	24	61.5

replied in the negative, and fifteen (38.4 per cent) in the positive.

Thus, most of the respondents, who would benefit from such programs as free textbooks and free transportation for the pupils of parochial schools, were in favor of these services; but they doubted that such

advantages for the parochial schools would contribute in any way toward removing the barriers that exist in America between the church and the state. The comments written on the questionnaires in regard to these items were interesting and enlightening. A few of the typical ones will be quoted at this point.

One parent wrote:

I personally think textbooks should be free in the Catholic schools. My child is only in the fourth grade, yet her books would have cost \$14 if I had not bought them second-hand. The higher the grades are, the more expensive the books will become.

Several respondents justified their opinions that free textbooks and free transportation should be available to the pupils who are enrolled in parochial schools by pointing out that these services should be available to Catholics as well as to Protestants and that Catholics should not be discriminated against in these matters, because "Catholics pay as much taxes as anyone else."

One parent commented, in elaborating upon the above contention:

I believe our children have as much right to ride public school busses because we pay taxes like every one else. I had rather pay for my child and be sure he has a good education.

Another parent wrote as follows:

If free transportation, textbooks, etc., were available to the students of Catholic schools, I believe more students would attend the Catholic schools. I also believe a little more advertising, especially by the parents, would increase the attendance, because the parents more than anyone else know how efficient the Catholic schools are.

One respondent stated that he believed the practice of furnishing free textbooks and free transportation should be extended to all parochial schools, Catholic and Protestant alike. He believed that no difference should be made in the provision of these educational services; parochial schools should be allowed to share equally in the enjoyment of these advantages.

Another parent commented as follows:

I believe transportation and free lunch programs should be provided whenever they are available in public schools and where they could easily be extended to the parochial school. However, I am not "for" the furnishing of textbooks because I believe the books and study aids which the church schools use are, in many cases, far superior to those used in public schools—they are, too, slanted somewhat on the religious theme—and asking for state aid would place the parish schools under obligation to buy only books approved as to quality and as to text by state or local school authorities.

A typical comment relating to the question as to whether state and federal aid to parochial schools would help to break down the barrier between church and state ran as follows:

It might not break down the "barrier," but it could easily cause religious disputes and dissensions in otherwise peaceful communities. I don't think Catholics want help which is grudgingly given and to which they would continually have to argue their rights.

Miscellaneous Government Aid

Although the provision, in some states, of free textbooks and of free transportation for pupils who attend Catholic parochial schools

and other types of private schools constitutes the principal type of aid to such schools from public tax funds, there are certain miscellaneous services which are often made available to parochial schools and which should be mentioned briefly at this point.

Along with pupils enrolled in the public schools, those attending parochial schools are examined periodically by doctors and nurses from the Public Health Service. A portion of the cost of the school lunch program is defrayed by the National School Lunch Program, which makes no distinction between public and private schools. Any school which sets up a lunch program and meets the requirements may share in the benefits of the national program, regardless of whether it is a public school, a sectarian school, or a non-sectarian private school.

The conditions which must be met in order to receive aid from the National School Lunch Program include the following: (1) the lunchroom must be operated on a non-profit basis; (2) the lunches served must meet the requirements of the law; and (3) the lunches must be served to all pupils who desire them, regardless of whether they can pay for them or not. Any local group, such as the Parent-Teacher Association, may co-operate with the school in sponsoring a lunch program.

Federal funds reimburse the schools for part of the cost of the school lunch program. Available funds are apportioned among the

states according to the number of school-age children and the average per capita income of the state. The federal funds allocated for the school lunch program must be matched with funds supplied by the state. A small amount may be charged the children for their lunches if they are unable to pay the regular price. This money so collected from pupils may be counted as contributing to the state's total amount required to match federal funds for the program.

Most of the food served is purchased locally by the schools. The Department of Agriculture of the United States Government also purchases some foods in mass quantities, especially when surpluses occur, and at times makes available to the schools such items as potatoes, canned fruits, and other foods obtained under the price support program of the government. Such foods supplied by the Department of Agriculture are not counted against the cash funds made available by the government by the school lunch program, but are in addition to such funds. Also, by making proper application, schools which do not participate in the school lunch program may qualify for receiving quantities of these foodstuffs distributed periodically by the Department of Agriculture.⁵¹

During the depression and the recent war crisis, when the resources of every school, both private and public, were mobilized for

⁵¹Don Sharkey, These Young Lives, p. 15.

the general welfare of the nation, "there was no hesitancy in making Federal funds available to any school which was willing to co-operate with the Federal Government." The National Youth Administration's student aid program drew no distinctions between public and non-public schools, but made its benefits available to all schools alike. The emergency school lunch legislation invited all schools to participate in a program for the promotion of agricultural stabilization and child welfare. The war training program called upon the resources and facilities of every technical school in the nation. "There was no cry of sectarianism" when the Army and the Navy established their specialized training programs on the campuses of denominational schools.

Along with these programs, the Federal Government donated and sold at a discount much of its surplus war property for use in non-public schools; and the "GI Bill of Rights" authorizes the Federal Government to pay tuition for all veterans who attend not only state-supported colleges, but also those non-public schools and colleges which have been approved for participation in the government's educational program for war veterans.⁵²

Although these miscellaneous forms of government aid to non-public schools represent a substantial outlay of public funds, there has

⁵²Federal Aid to Education, Hearings before Subcommittee No. 1 of the Committee on Education and Labor of the House of Representatives, 80th Congress, 1st Session, Vol. I, p. 312.

never been any real criticism of these programs when they have benefitted parochial schools or the persons attending such schools. Perhaps this acceptance of these programs of aid has been due to the fact that these programs, for the most part, are recognized as emergency measures growing out of the depression or out of the recent war; and most of the people are willing to permit everyone—even Catholic parochial schools—to enjoy these benefits in return for services rendered in the national emergency, whether it be the depression or the Second World War. On the other hand, there is nothing of an emergency character attached to such programs as providing free textbooks and free transportation to the pupils of parochial schools, for these types of aid are considered to be permanent policies. Therefore, strong opposition has arisen to the free textbooks and the free transportation which have been made available in many states to pupils who attend parochial schools, for it is not generally believed that such aids should be granted on a permanent basis.

State Supervision of Education

It should be pointed out that the relationships of government to the parochial schools have not been limited to the direct or indirect financial aid furnished to these schools through public funds; but also, governmental agencies have assumed some responsibility for the operation of these schools. It is only natural that the state may have to

interfere to some extent in this field in order to exercise its police powers for the good of the entire population. The police power of the state is the power to enact laws which it deems necessary for the good and the welfare of the people, especially in the fields of health, safety, and morals. Hence, state regulation of private schools, including those under sectarian sponsorship, is to be expected to some extent.

Since the Constitution of the United States makes no provision for the education of the youth of the country, and it is felt that education is necessary for future leadership in the American democratic society, the states have assumed the responsibility for education in accordance with the provisions of the Tenth Amendment to the Constitution of the United States, which stipulates that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the States respectively, or to the people." In many court cases, the education of the youth of the country has been declared to be a function of the states. Courts have consistently held that education is fundamentally a matter of state interest and that education is a proper function of the state. Consequently, each state has "the power to legislate with respect to the safety, morals, health, and general welfare. And in no field is this right . . . more clearly recognized than that of public education."⁵³

⁵³Lee O. Garber, The Yearbook of School Law, p. 1.

Compulsory school attendance laws have been in force for many years, and the state has the right to compel its children to go to school. It may not, however, compel them to attend a public school if their parents prefer to have them attend a private or a sectarian school. This fact was brought out in the court case of Pierce v. Society of the Sisters of the Holy Names of Jesus and Mary⁵⁴ in 1925.

Oregon had passed a Compulsory Education Act, which was adopted by popular vote of the state electorate in November, 1922, and which was to become fully effective on September 1, 1926. Provisions of this law required that every person in the state having charge of a child between the ages of eight and sixteen years must send the child to a public school or be guilty of a misdemeanor. Certain exceptions were recognized, such as children who were sub-normal, who had passed the eighth grade, or who were too far distant from a public school to attend it. The Society of Sisters conducted schools maintained by the Roman Catholic Church and obtained an injunction against the officials of the State of Oregon who were threatening to enforce the Compulsory Education Law to the detriment of the interests of these parochial schools.

The schools maintained by the Society of Sisters had long devoted their property and effort to the secular and religious education

⁵⁴45 S. Ct. 571.

and care of children, and had acquired the valuable good will of many parents and guardians, Protestant as well as Catholic. The same curriculums that were followed in the public schools of Oregon were likewise to be found in these parochial schools, plus numerous courses in religion and Catholic doctrine which had no place in the public schools.

In its decision of this case, the United States Supreme Court held that,

Under the doctrine of *Meyer v. Nebraska*, 262 U. S. 390, we think it entirely plain that the act of 1922 unreasonably interferes with the liberty of parents and guardians to direct the upbringing and education of children under their control. As often heretofore pointed out, rights guaranteed by the Constitution may not be abridged by legislation, which has no reasonable relation to some purpose within the competency of the state. The fundamental theory of liberty upon which all governments in this union repose excludes any general powers of the state to standardize its children by forcing them to accept instruction from public school teachers only. The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations. ⁵⁵

Thus, the Supreme Court held it to be illegal for any state to decree that its children must attend the public schools. In other words, the right of the Catholic and other denominations to establish and maintain parochial schools was upheld.

In May, 1929, the Supreme Court of New Hampshire heard the case of State v. Hoyt, in which an interpretation was sought of the New

Hampshire compulsory school attendance statute.⁵⁶ In this case, Hoyt and others were charged by the state with failure to send their children to a public school. Hoyt raised the defense that his child was instructed by a private tutor in his own home in the studies required in the public schools of the state for a child of his age and grade.

In connection with this case, the court brought out the right of the state to "insist that certain education be furnished and supervised." It went on to say that "the power to supervise necessarily involves the power to reject the unfit, and to make it obligatory to submit to supervision." According to the court, the state has the right and the power to insist upon official approval for any substitute which is devised to take the place of attendance in the public schools, nor is such power limited to a mere inspection of what is being done along educational lines and prosecution in case of deficiencies.

Since the Supreme Court of the United States has indirectly sanctioned the existence of sectarian schools and upheld the right of a parent to send his children to a sectarian school if he so desires, instead of to the public schools, the question arises as to how the state may make certain that its youth who are enrolled in sectarian

⁵⁶84 N. H. 38, 146 Atl. 170, cited in A. W. Johnson, Legal Status of Church-State Relationships in the United States, p. 189.

schools receive and benefit from an education comparable with the educational instruction offered by the public schools in fitting these young people for their future citizenship.

Most states have delegated to state boards of education or to local school authorities the responsibility for the supervision of sectarian schools. A few states have attempted to set standards and to formulate methods of enforcement in an effort to make the regulation of sectarian schools possible, while others have attempted to apply to parochial and other private schools the same standards that are enforced in the control and supervision of state-supported public schools.

Three fourths of the states provide that education in the parochial schools shall be equivalent to that afforded in the public schools of the state. That such is not the case in many instances is indicated by Table 12, beginning on the following page. This table reveals that few more than half of the states require the same standards for parochial schools as are enforced for the public schools, although there may be laws on the statute books saying that no distinction shall be made in so far as certain standards are concerned. By no means all of the states require that the parochial schools shall offer an equivalent school term—that is, one equivalent in length with that required for the public schools. Less than one fourth of the states require that teachers employed in parochial schools shall be properly certified by

TABLE 12

EXTENT TO WHICH THE RESPECTIVE STATES REQUIRE THAT
PAROCHIAL SCHOOLS MEET CERTAIN STANDARDS AND
SPECIFICATIONS WHICH ARE DEMANDED OF
PUBLIC SCHOOLS IN THESE STATES*

State, Territory, or District	Equivalent Term	Certifica- tion of Teachers	Registration with State Department	State-approved Course of Study
Alabama	No	A	Yes	No
Alaska	Yes	Yes	Yes	Yes
Arizona	No	No	No	No
Arkansas	No	No	No	No
California	No	No	No	Yes
Colorado	No	No	No	No
Connecticut	Yes	No	Yes	No
Delaware	No	No	No	No
Dist. of Columbia	No	No	No	No
Florida	Yes	No	No	No
Georgia	Yes	Yes	Yes	Yes
Hawaii	No	No	Yes	No
Idaho	B	B	B	B
Illinois	Yes	Yes	No	Yes
Indiana	Yes	Yes	Yes	Yes

TABLE 12—Continued

U. S. Constitution, American History, Civics in Curriculum	Physiology and Hygiene in Curriculum	Effects of Alcohol, Narcotics Taught	Standards for Equipment and Facilities	Attendance Records Filed
No	No	No	A	Yes
Yes	Yes	Yes	Yes	Yes
No	No	No	No	No
No	No	No	No	No
Yes	Yes	Yes	No	No
No	No	No	No	No
Yes	Yes	Yes	No	Yes
No	Yes	Yes	No	Yes
No	No	No	No	Yes
No	No	No	No	Yes
Yes	Yes	Yes	Yes	Yes
No	No	No	Yes	Yes
B	B	B	B	No
Yes	Yes	Yes	Yes	No
Yes	Yes	Yes	Yes	Yes

TABLE 12—Continued

State, Territory, or District	Equivalent Term	Certifica- tion of Teachers	Registration with State Department	State-approved Course of Study
Iowa	No	No	Yes	No
Kansas	B	B	B	B
Kentucky	Yes	Yes	Yes	Yes
Louisiana	B	Yes	Yes	B
Maine	Yes	Yes	No	Yes
Maryland	No	B	A	No
Massachusetts	Yes	No	No	Yes
Michigan	No	Yes	Yes	Yes
Minnesota	No	No	No	No
Mississippi	B	B	B	B
Missouri	Yes	No	No	Yes
Montana	...	...	...	...
Nebraska	Yes	Yes	Yes	Yes
Nevada	Yes	No	B	No
New Hampshire	...	...	...	...
New Jersey	...	...	...	...
New Mexico	B	B	B	B
New York	Yes	No	No	Yes

TABLE 12—Continued

U. S. Constitution, American History, Civics in Curriculum	Physiology and Hygiene in Curriculum	Effects of Alcohol, Narcotics Taught	Standards for Equipment and Facilities	Attendance Records Filed
Yes	Yes	Yes	B	No
B	B	B	B	B
Yes	Yes	Yes	Yes	Yes
B	B	B	B	Yes
Yes	Yes	Yes	Yes	Yes
A	No	No	A	Yes
Yes	Yes	Yes	Yes	Yes
No	No	No	No	Yes
No	No	No	No	Yes
B	B	B	B	B
No	No	No	No	No
...
Yes	Yes	Yes	Yes	Yes
Yes	No	No	B	No
...
...
B	No	B	B	B
Yes	Yes	Yes	No	No

TABLE 12—Continued

State, Territory, or District	Equivalent Term	Certifica- tion of Teachers	Registration with State Department	State-approved Course of Study
North Carolina	Yes	B	No	Yes
North Dakota	Yes	Yes	Yes	Yes
Ohio	Yes	No	No	Yes
Oklahoma	Yes	Yes	Yes	Yes
Oregon	No	C	No	No
Pennsylvania	Yes	No	No	No
Rhode Island	Yes	No	Yes	No
South Carolina	Yes	Yes	No	Yes
South Dakota	...	...	...	...
Tennessee	B	B	B	B
Texas	B	B	B	B
Utah	...	...	...	...
Vermont	No	No	A	No
Virginia	Yes	Yes	B	Yes
Washington	No	Yes	Yes	Yes
West Virginia	B	No	B	B

TABLE 12—Continued

U. S. Constitution, American History, Civics in Curriculum	Physiology and Hygiene in Curriculum	Effects of Alcohol, Narcotics Taught	Standards for Equipment and Facilities	Attendance Records Filed
Yes	Yes	Yes	B	Yes
Yes	Yes	Yes	Yes	Yes
Yes	No	No	Yes	Yes
Yes	No	No	Yes	Yes
No	No	No	C	No
B	No	No	No	Yes
No	No	No	No	Yes
Yes	Yes	Yes	Yes	Yes
...
B	No	No	B	No
B	B	B	B	B
...
Yes	Yes	B	Yes	No
Yes	Yes	Yes	B	Yes
Yes	Yes	Yes	Yes	No
No	B	B	B	B

TABLE 12—Continued

State, Territory, or District	Equivalent Term	Certifica- tion of Teachers	Registration with State Department	State-approved Course of Study
Wisconsin	No	No	No	D
Wyoming	No	Yes	No	No

*"The State and Sectarian Education," Research Bulletin of the National Education Association, XXIV (February, 1946), 42.

Legend for the Interpretation of the Table:

A—Only in accredited high schools.

B—Only where state approval is sought for the school.

C—Only to secure free textbooks.

D—Only in elementary schools for pupils who wish to attend public high schools.

TABLE 12—Continued

U. S. Constitution, American History, Civics in Curriculum	Physiology and Hygiene in Curriculum	Effects of Alcohol, Narcotics Taught	Standards for Equipment and Facilities	Attendance Records Filed
No	No	No	No	Yes
No	No	No	No	Yes

the state as qualified teachers. Comparatively few of the states demand that the parochial schools be registered with the state department of education, and less than half of the states require that the parochial schools shall use state-approved courses of study. Similar lack of requirements exists, too, in the matter of certain fundamental courses which are required in all public schools in all of the states but which are not demanded of parochial schools in many of the states. These subjects include such vital courses as those dealing with the Constitution of the United States, American history, civics, physiology and hygiene, and the effects of alcohol and narcotics on the human body. Likewise, only approximately one third of the states require that parochial schools must meet specified standards for educational equipment and facilities, and only slightly more than half of the states demand that attendance records of the parochial schools be filed with the state departments of education. Thus, it is apparent that standards and requirements are extremely lax in many of the states as they relate to parochial and other non-public schools. In view of this fact, it is surprising that so many of the respondents to the questionnaire employed in this study expressed a conviction that the quality of instruction offered by parochial schools is, in most cases, superior to that afforded by the public schools. Whether these opinions were based purely on the academic curriculum, or whether the inclusion

of religion and doctrine in the parochial schools influenced these commendations of sectarian schools is not known. It is obvious, of course, that such lax standards on the part of the states do not necessarily imply that the work done by parochial schools is inferior. In fact, the Catholic Church ordinarily has high standards for its teachers and for the educational programs offered by its schools.

One of the simplest types of supervision is the registration of private schools with the state departments of education. In some states, the obligation to register the schools rests upon their administrative officers, while in other states the local superintendent of the public schools sends to the state department a list of all local private schools. Several states, including Kentucky, New Hampshire, New Mexico, and others, accept the work only of those private schools which meet the approval of the state department and reject the work done by other schools. Attendance at schools which are not approved does not satisfy the requirements of the compulsory attendance laws of the states.

In order to achieve the objective of comparable education offered by both public and private schools, some degree of specification and supervision is necessary. This may range from general to specific requirements which the schools are required to meet in order to continue operation. The requirements assessed for private and

parochial schools in Nebraska may be cited as an example of greater detail in school standards than is to be found in the regulations of most states:

All private, denominational, and parochial schools in the state of Nebraska and all teachers employed or giving instruction therein shall be subject to and governed by the provisions of the general school laws of the state so far as the same apply to trades, qualifications and certification of teachers and promotion of pupils. All private, denominational, and parochial schools shall have adequate equipment and supplies and shall be granted the same and shall have the same courses of study for each grade conducted therein; substantially the same as those given in the public schools where the children attending would attend in the absence of such private, denominational, or parochial schools.⁵⁷

Equivalent education is sought in some states by requiring private schools to remain open for the same length of term as do the public schools of the same locality, while other states require the same courses of study, or a course of study approved by the state department of education.

Usually, administrators of private schools are required to make periodic attendance reports. In Oklahoma, the law covering this item states that, "It shall be the duty of the principal or head teacher of each public, private or other school in the State of Oklahoma to keep a full and complete record of the attendance at such school and to notify the supervisor of school census . . . "⁵⁸

⁵⁷Revised Statutes of Nebraska, 1943, Vol. IV, Chap. 75, Sec. 1913.

⁵⁸Oklahoma Laws, 1949, Title 70, Article 10, Section 11, cited in M. K. Remmlein, School Law, p. 222.

Reports on other phases of the school program are required in a few states, but Alabama seems to require a complete picture of the internal affairs of its private schools: the number of pupils enrolled, number in attendance, number of teachers, course of study, length of school term, cost of tuition, source and expenditure of funds, value of property, and general condition of the school.⁵⁹

Although private schools are generally required to use English as the medium of instruction, they cannot be required to desist from teaching one or more foreign languages. In the case of Meyer v. State of Nebraska,⁶⁰ a teacher in a private school was arrested for teaching his classes in German, contrary to state law. Statutes forbade the use of any language other than English as the medium of instruction, nor could any foreign language be taught and learned until the pupils had attained and successfully passed the eighth grade. The court held that "the state may do much, go very far indeed, in order to improve the quality of its citizens, physically, mentally, and morally . . . ; but the individual has certain fundamental rights which must be respected . . . "

The power of the state to compel attendance at some school and to make reasonable regulations for all schools, including a requirement

⁵⁹Code of Alabama, 1940, Title 52, Section 547, cited in National Education Association, Research Bulletin, XXIV, 39.

⁶⁰262 U. S. 390 (1923).

that all instruction shall be given in the English language, except when a foreign language is being taught and learned, is not questioned. Nor has challenge been made of the state's power to prescribe a curriculum for the institutions which it supports.

Several states have restrictions regulating the teaching of foreign language to young children, but under the ruling of the above case, these laws can be applied only in the public schools, even if not explicitly so stating. "A legislature may not prevent a child from learning anything not harmful to the state, so long as the teaching is outside of the public schools."⁶¹

The decision of the court in the case of Scopes v. State,⁶² in which a teacher was convicted of teaching the theory of evolution in the public schools, contrary to law, left little doubt that the state has full power in regulating the public school curriculum, although it brought out in the Meyer case, cited above, that the state cannot prevent a child from learning a subject not harmful to the state if it is learned outside of the public schools.

In many of the states, history and government are required as courses of study in the private schools as well as in the public schools. The Arkansas statutes state that ". . . the teaching of

⁶¹Remmlein, School Law, p. 287.

⁶²289 S. W. 363.

American history in the primary grades of all schools, both public and private, of this state shall be compulsory."⁶³ A similar provision is found in many other states as well.

Certain other means of teaching patriotism are required in some states, such as the use of the flag, reference for the flag, and singing of "The Star-Spangled Banner." Kansas requires the flag to be displayed on private school buildings as well as on public schools.

Physical training,⁶⁴ instruction in accident prevention,⁶⁵ traffic regulation,⁶⁶ and fire protection⁶⁷ are required in the curriculums of the parochial schools of some states, as well as in the public schools. All of these special courses are recognized as coming within the police powers of the state in providing adequate instruction in health, safety, and morals for the oncoming generations.

From this brief discussion, it is apparent that all states provide some type of regulation and supervision for private schools, but seldom are the state standards for these schools as high, nor are they enforced so stringently, as for the public schools within the respective states.

⁶³Arkansas Statutes, 1947, Title 80, Section 1601.

⁶⁴New York Educational Laws, Section 695.

⁶⁵New Jersey Statutes, Annotated, 1940, Title 18, Section 19-3.

⁶⁶New York Educational Laws, Section 720.

⁶⁷Ibid., Sections 730, 735, 736.

Religion and Released Time

Although court decisions were by no means consistent, the courts of some states interpreting the Bible as a sectarian document and others holding it to be above and beyond sectarianism, the general trend in the latter part of the nineteenth century was toward a broadening tolerance and a growing conception of the function of public education as being primarily secular in nature. Until the latter years of the nineteenth century and the early years of the twentieth, it was common and almost universal practice for the Bible to be read and prayers to be offered in the public schools, often accompanied by the singing of religious hymns. Largely through the demands of Catholics, these religious exercises have been generally abandoned in the public schools within the last half-century. Catholics, objecting to the Protestant exercises in the public schools, contended that, as citizens, they should not be required, either as teachers or pupils, to engage in activities which offended their religious consciences. Then, with their increase in numbers and their growth in political influence, they began campaigns in opposition to the religious exercises in the public schools and began to agitate for state and federal support of parochial schools.

In 1890, the Supreme Court of Wisconsin became the first to rule that the reading of the Bible in the public schools was unconstitutional; and in 1902, 1910, and 1915, the Supreme Courts of Nebraska,

Illinois, and Louisiana, respectively, rendered similar decisions. These courts held that both the reading of the Bible and the singing of hymns constituted sectarian instruction and were acts of worship within the meaning of the state constitutions, as was also the offering of daily prayers in the classrooms or in assemblies. Therefore, these religious exercises were outlawed from the public schools until, by 1913, only two states continued to require daily Bible reading in the public schools, and most of the states had enacted legislation making it illegal.⁶⁸

Court decisions concerning the meaning of "religion" in the public schools have been somewhat conflicting as well as contradictory in implication. In 1904, the Supreme Court of Kansas approved the actions of a teacher who required pupils to remain in class during the unison recital of the Twenty-third Psalm and the Lord's Prayer, the court ruling that this action was not inconsistent with constitutional prohibitions against sectarian teaching or the express provision in the constitution to the effect that no man "shall be compelled to send his child to a school to which he may be conscientiously opposed."⁶⁹ In South Dakota, however, in 1929, the Supreme Court ordered school officials to reinstate Catholic children whom a teacher had expelled

⁶⁸Thayer, The Attack upon the American Secular School, p. 14.

⁶⁹Ballard v. Board of Education of Topeka, 69 Kansas 53, as cited in Thayer, The Attack upon the American Secular School, p. 143.

because of the children's refusal to attend the opening daily exercises of the school, during which the King James Version of the Bible was read and the Lord's Prayer was used. The court emphasized the "unwisdom" of using the Protestant version of the Bible in this manner, and ordered the board of education to permit children to absent themselves during the reading if they possessed conscientious scruples against the exercise.⁷⁰ Likewise, in Colorado, in 1927, when Catholic parents sought relief for their children from the local regulation that the teachers must read to their pupils each morning from the King James Version of the Bible, the court held that, although the regulation was not inconsistent with a constitutional provision guaranteeing freedom of worship without discrimination, the attendance of children during this exercise should be made optional and not obligatory.⁷¹

In Louisiana, in 1915, Catholic and Jewish parents united in opposition to a regulation of the State Board of School Directors that daily sessions of the schools of the state must open with a reading from the Bible and, on occasion, the Lord's Prayer. The court ruled that the Jews only, and not the Catholics, were discriminated against in the matter of these opening exercises. However, the regulations prescribing the daily religious exercises in the schools were declared

⁷⁰State ex. rel. Finger v. Weedman et al., School District Board, 226 N. W. 348.

⁷¹People v. Stanley, 81 Colorado 276.

unconstitutional.⁷² In the case of Church et al. v. Bullock et al.,⁷³ in Texas, where action was brought by two Jews, two Catholics, and an unbeliever, the court ruled unanimously that the reading of the Bible, repeating the Lord's Prayer, and the singing of religious hymns in opening exercises in the schools, at which children were required to be present but not to participate, did not violate religious liberty, or convert the school into a religious body, or involve the use of public funds in order to further the sectarian or religious purposes of any individual or group.

Out of all the conflicting decisions came a "solution" to the problem. Since teachers are not allowed to "teach religion," and the use of public school funds for sectarian education is forbidden in most of the states, a plan which is known as "released time" has come into existence.

In Champaign, Illinois, church-sponsored teachers were brought into the public schools, where they conducted classes in religion with the co-operation and encouragement of the school board and of the school staff. In the case of Illinois ex rel. McCollum v. Board of Education of School District 7, Champaign County,⁷⁴ petitioners charged

⁷²68 So. 116 (1915).

⁷³109 S. W. 115.

⁷⁴68 S. Ct. 461.

that joint public school religious group programs violated the First and the Fourteenth Amendments to the Constitution of the United States. The teachers of religion were employed at no expense to the school, but these instructors were subject to the approval and supervision of the school superintendent; and classes in religion were conducted in regular classrooms in the school buildings. Students not desiring to take advantage of these classes in religion were required to report to study halls, and those attending the classes were listed and reported to their regular classroom teachers.

In this case, the Supreme Court of the United States concluded that, in this particular instance, the use of tax-supported property for religious instruction, together with the close co-operation between school authorities and the religious council in promoting religious education in the public schools, was unconstitutional. The court held that, in this manner, the operation of the state's compulsory educational system was assisting and was integrated with the programs of religious instruction carried on by separate religious sects. Also, the court frowned upon the use of public school buildings for purposes of dissemination of religious doctrines.

The court's decision in this McCollum case caused many to fear that all religious instruction, all chapel programs, and even the reading of the Bible without comments would have to be abandoned in the

public schools. The majority decision of the court was framed in such general terms that many educators felt uncertain as to what extent the decision could be applied and enforced.

As a result of the Supreme Court's action in the McCollum case in Illinois, many schools gave up Bible reading and all forms of religious instruction, although many others continued to employ the plan of "released time," with religious classes usually held in buildings other than the public schools.

In 1952, the Supreme Court of the United States passed on this practice in the case of Zorach v. Clauson.⁷⁵ The court's majority decision held that the government must remain neutral in all phases of competition among religious sects, and it may not finance religious groups, undertake religious instruction, blend secular and sectarian education, or use secular institutions for the purpose of forcing one or more religious groups and their beliefs on any person. Further, in its opinion, the court decreed that the government may not make religious observances compulsory or coerce anyone to attend church services, to observe religious holidays, or to take religious instruction; but there is no constitutional requirement which makes it necessary for government to be hostile toward religion and to throw its

⁷⁵72 S. Ct. 679.

weight against efforts to widen the effective scope of religious influence.

This court opinion was generally taken to mean that the Supreme Court found no objections to religious instruction for public school children, provided the facilities and funds of the public schools are not utilized in any way in such programs. As a result, many school systems provide in their curriculums for certain periods of "released time," during which the pupils are released to their churches for religious instruction. Pupils are not required to participate in these programs, although they are usually encouraged to take advantage of these additional opportunities for religious education, beyond that which can be offered on Sundays by the churches and that which may be available in their homes. Usually, church buildings are used for these classes in religion, but in cases of inaccessibility to the schools, other buildings or rooms not a part of the public school plants may be utilized. The granting of "released time" does not mean that the pupils are free to do whatever they desire during these periods; rather, they must either report for classes in religion or else remain in the study halls and libraries of the schools.

In most localities in which the plan of "released time" for religious instruction has been put into operation, it has been found highly satisfactory and beneficial, both from the standpoint of the

churches and of the schools, to say nothing of the children themselves and their parents. However, it perhaps will not be long until organized opposition to the plan will arise on the grounds that time which should be utilized by the schools for academic instruction is being devoted, instead, to the promotion of religious education. What the ultimate outcome of the problem of religion in the public schools will be, only time will disclose.

Table 13, on the following page, presents some interesting opinions on the matter of religion in the public schools as revealed by the responses to the questionnaire utilized in this study.

Only five of the respondents indicated that they would as soon have their children attend the public schools if religion were emphasized there—and not all of the respondents who said this were non-Catholics! On the other hand, thirty-four respondents (87.0 per cent) would not care to have their children attend the public schools, even if religion were available there. A rather broad-minded and liberal attitude was reflected in responses to the question, "Do you think non-sectarian religious training should be available in the public schools?" Twenty-four respondents (63.1 per cent) answered affirmatively, while fourteen (36.8 per cent) replied in the negative. Thus, these parents, Catholics and non-Catholics alike, feel that there is a definite place in the public schools for non-sectarian religious

TABLE 13

**OPINIONS CONCERNING CERTAIN PHASES OF RELIGIOUS
INSTRUCTION IN THE PUBLIC SCHOOLS EXPRESSED
BY SELECTED PARENTS WHOSE CHILDREN ATTEND
CATHOLIC PAROCHIAL SCHOOLS IN TEXAS**

Questions	Opinions			
	Yes		No	
	Number	Per Cent	Number	Per Cent
If religion were emphasized in the public schools, do you feel you would as soon your children were educated there? . . .	5	12.8	34	87.0
Do you think non-sectarian religious training should be available in the public schools? . . .	24	63.1	14	36.8

instruction. However, one respondent wrote this comment on the questionnaire: "I don't believe in teaching religion in public schools because there is to many different kinds and I can't see where it would be possible."

Another respondent made this comment: "Truly non-sectarian religious training would be difficult to achieve and probably quite ineffective."

Still another respondent commented, on the question of "released time":

You asked no questions regarding the released time programs in effect in some states. This is the only way I can see for providing religious training in the public schools—where the students are released to their individual churches at set times during the week for religious instruction—or perhaps religious classes could be conducted at the schools by the various churches, simultaneously, each student attending the classes for his family's religious denomination. Nothing of the sort would ever be as good, however, as the constant training by the Sisters, who, in everything they do and in all they teach, emphasize God, goodness, purity, Christian charity, patience. This is invaluable.

CHAPTER V

CONCLUSION

Both religion and education have exerted powerful influences upon the development of American democracy and upon the course of American history. The first settlers on these shores came primarily in the hope of establishing for themselves what they had been denied in their home countries in Europe—freedom of religion.

Along with the church, the school developed as one of the earliest institutions of American society. For a long while, until the advent and widespread establishment of the public schools, the school and the church were very closely related; in fact, many schools were founded by churches for the purpose of training young men for the ministry. This was certainly the underlying purpose behind the establishment of the first colleges in America, and schools of lower rank contributed, also, to the religious motives and ideals which characterized American society in the early years. The first schools were usually taught by ministers, who naturally took advantage of their opportunity to inculcate the principles of their religion into their pupils. Practically all reading that was done in these early schools was

permeated with a religious theme, so that both education and religion were parallel benefits accruing from the work of the schools.

Even before the establishment of the public schools, some religious bodies maintained their own parochial schools for the purpose of stressing the doctrines and tenets of their particular faith; but soon there arose a general feeling among the people that education should be a function of the government and not of the church. The first step toward the establishment of public schools came when government began to make grants to schools maintained by church groups, thus making these schools semi-public in nature. However, they were still fundamentally religious in character, since religion and doctrinal interpretations were still emphasized in spite of the fact that public funds were bearing much of the cost of their maintenance. Units of local government, and even some of the state governments, began to participate in these educational programs in a half-hearted attempt to discharge public responsibility for the maintenance of educational facilities for all children. All schools at that time were private, although not all of them were church-affiliated. Since the time was not yet ripe for the establishment of a system of public schools, maintained solely by taxation, public authorities did the next thing, and began to co-operate in the financing of the private schools that were already in operation.

Soon, however, people became dissatisfied with the necessity of sending their children to private schools in which the religious teachings might not conform to their own beliefs. When this dissatisfaction became sufficiently pronounced, agitation began in the interest of a system of state-supported public schools.

Along with the development of public schools came the growth of parochial schools as well. Since it was recognized from the beginning that sectarian instruction could not be permitted in public schools that were maintained from tax funds paid by people of all faiths and of no faith, the Catholics in particular became loud in their criticism and condemnation of the new public schools. They fought long but vainly in an effort to defeat the new plan of education. Realizing at last that the public schools were here to stay, Catholics and other religious bodies which were aggressive in their belief that children of their particular faith should have instruction in doctrine along with their academic training, began to emphasize the necessity of church-supported schools if the purity of their faith was to be maintained among their own adherents. Consequently, the establishment of public schools proved to be a stimulus for the growth of parochial schools. Their principal reason for existence was to furnish to children of their faith the instruction which the public schools denied them—training in doctrinal matters.

Down to the present day, this has remained the principal reason why parents still send their children to parochial schools. There, they can receive instruction in religion and in doctrine, and at the same time be given standard academic training. Proponents of the parochial schools insist that teachers in these institutions are better trained than those in the public schools, but this may or may not be true; in an over-all picture, in all probability there would be no truth whatsoever in this assertion. Many assert, also, that the academic training the children receive in parochial schools is superior to that offered by the public schools, but this, too, is open to serious question. Perhaps what makes the curriculum of church-related schools so appealing is the fact that religion is taught along with the usual academic work.

This study has indicated that many standards which are required of the public schools are not enforced with respect to parochial schools, and for this reason it does not appear logical that the quality of instruction offered by the two types of educational institutions could be comparable. If there is any appreciable difference, the advantage seems to lie in the direction of the public schools in so far as academic training is concerned. Undeniably, parochial schools offer thorough training in doctrinal matters and therefore possess a distinct and unique advantage.

With the twentieth-century movement toward the widespread consolidation of schools, a new educational service became generally available—that of transportation of pupils to and from the public schools. Immediately, those parents whose children attended parochial schools began to insist that their children, too, have the privileges of such transportation service. In reply, public school authorities insisted that they were under no obligation to furnish transportation to pupils who did not attend the public schools, and in most cases refused to do so. Even when the question was filed for court decision, it remained unsettled, because of different interpretations and court rulings on the matter.

Likewise, when states began to supply free textbooks to children in the public schools, parochial schools clamored for the same consideration. Some states readily agreed to make free textbooks available to parochial schools as well as to public schools, while others flatly refused to do so. Here, as in the case of providing transportation, the question remains unsettled and constitutes a "live" issue. The Supreme Court of the United States has acted in both matters, declaring that there is no constitutional issue involved in either the furnishing of free textbooks or the supplying of free transportation to pupils in parochial schools. It has not, however, decreed that states must provide these services, but only that parochial and

other private schools which make proper application should be furnished with textbooks by the state so that instruction will be more nearly uniform and standardized in all schools of a given state, whether public or private; and also, the court has maintained that free transportation should not be denied to any children who attend a private school which is not operated for profit. The court has reached these decisions under the assumption that the providing of free textbooks and the offering of free transportation facilities to pupils in the parochial schools do not, in actuality, benefit the schools but rather the children themselves and their parents. This reasoning appears to be far-fetched, however, in the light of the fact that the offering of such services to the children of the parochial schools makes it possible for many children to attend these schools who otherwise might not be in a position to do so because of the expense involved. Thus, both problems remain "live" issues, awaiting some definite and acceptable solution. Until that solution materializes, some states provide free textbooks and free transportation to pupils in parochial schools and other types of private schools, whereas others refuse to do so.

Catholics, logically, have maintained that they pay their share of taxes for the support of education and consequently should not be discriminated against in the distribution of such public funds for educational services.

The fact that many non-Catholic parents send their children to Catholic parochial schools implies that these parents desire their children to receive something from their school experience which the public school does not supply—namely, religious training and moral growth. Since the Catholic parochial schools emphasize these very factors in education, such schools have a special appeal to many parents. Yet, perhaps, many of the non-Catholic parents whose children attend parochial schools would not care to have their children become Catholics. They want for their children what the Catholic schools provide—concentrated religious and moral training—but they do not want it in the way in which the Catholics give it, with so much stress upon doctrine and dogma.

What, then, is the answer? Perhaps the best solution that has been developed up to now is the practice which is steadily growing among the public schools—that of "released time" for religious instruction under the direction of the denomination of one's choice. It goes without question that the home no longer affords to children the religious and moral training that once were centered in the family circle; this being the case, the churches and the schools are faced with the responsibility of providing such training if the children are to have any at all, to speak of. Churches, faced with the fact that their opportunity is ordinarily limited to an hour or less on Sundays, even for those children who are in regular attendance, while they fail

to reach entirely great numbers of the young, can, at best, do only an extremely inefficient job of religious and moral instruction. It appears, then, that the schools, which have the children for five days each week, are the logical places in which children may be given religious and moral training, not according to denominational concepts but according to Christian principles—those principles which all faiths can accept.

But, if this fact is admitted, there still arises the potent problem of what to do with the question of religion in the public schools, with the age-old insistence that church and state must be completely separate. These questions are as yet unsolved, although most people realize the vast need for religious and moral training for the young.

What the ultimate answer will be, or whether there will ever be a universally acceptable answer, remains to be seen. In the meantime, the nation awaits the coming of a great educational or religious leader who will be able to devise some means of reconciling the vital need for religious and moral instruction with the public school's overwhelming emphasis upon academic training. In other words, it is imperative that some plan be devised whereby the church and the state can work co-operatively and harmoniously—not separately—in the well-rounded education of the youth of America, with emphasis upon spiritual and moral growth as well as upon academic progress.

APPENDIX

Dear Parents:

I am writing a thesis on "Governmental Policies and the Parochial Schools" and need your help in order to complete the work.

Your answering the following questions will be of valuable assistance in helping me to determine the reasons for the continuous growth of the Catholic schools.

Sister Mary Hugh, Superior of St. Anthony's School, has been kind enough to help me work up the questions and has been of valuable assistance. For her co-operation I am very grateful.

Your immediate consideration and co-operation will be greatly appreciated.

Respectfully,

Joe D. Roe

1. Are both parents Catholic? _____ If not, is the father Catholic? _____
Mother Catholic? _____
2. How many children are there in the family? _____ Do all attend Catholic school? _____ If not, how many are in Catholic school? _____ In public school? _____ How many are over seventeen years of age? _____ Below six years of age? _____ Of those over seventeen years of age, how many attended Catholic school? _____ If some did not attend Catholic school, was it because Catholic schools were not accessible? _____ If your answer to the last question was "yes," would you have sent them to a Catholic school if possible? _____ Do you plan to send those below school age to Catholic school when they reach the required age? _____

3. Please check the reason or reasons listed below as to why your child or children attended, attend, or will attend Catholic schools.
- _____ a. Religion of the family is Catholic.
 - _____ b. Catholic schools are more efficient.
 - _____ c. You as a child were trained in a Catholic school.
 - _____ d. Public schools are overcrowded.
 - _____ e. Not enough individual attention is given in the public school.
 - _____ f. You want your children trained by Catholic instructors.
 - _____ g. You believe teachers in Catholic schools are better trained or qualified to teach.
 - _____ h. You feel that more emphasis is placed on religion in Catholic schools.
 - _____ i. You feel that more emphasis should be placed on religion in education.
 - _____ j. You believe that Catholic schools provide a better moral atmosphere.
4. If religion were emphasized in public schools, do you feel you would as soon your children were educated there? _____
5. Do you think non-sectarian religious training should be available in the public schools? _____
6. Do you think such aids as free transportation, textbooks, etc., should be available to the student of Catholic schools as they are to the students of public schools? _____
7. Do you think that state and federal aid to students of Catholic schools would break down the "barrier between Church and State"? _____

After answering the above questions, I would appreciate it if you would use the space below and on the back for any remarks and comments you would like to make. Again, let me thank you for your co-operation.

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Unpublished Materials

"Why the Catholic School?" an unpublished typewritten paper written especially for inclusion in this study by the Rev. Walter Bojniewicz, pastor of the Immaculate Conception Catholic Church, Denton, Texas, 1953.