THE AMERICAN COVENANT, CATHOLIC ANTHROPOLOGY
AND EDUCATING FOR AMERICAN CITIZENSHIP:
THE IMPORTANCE OF THE CATHOLIC SCHOOL ETHOS
OR
FOUR MEN IN A BATEAU

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Dozens of academic studies over the course of the past four or five decades have shown empirically that Catholic schools, according to a wide array of standards and measures, are the best schools at producing good American citizens.

This dissertation proposes that this is so is partly because the schools are infused with the Catholic ethos (also called the Catholic Imagination or the Analogical Imagination) and its approach to the world in general. A large part of this ethos is based upon Catholic Anthropology, the Church’s teaching about the nature of the human person and his or her relationship to other people, to Society, to the State, and to God. The ideas that make up Catholic Anthropology are also deeply foundational to the set of ideas known collectively as Western Civilization and, through them, to the ideas that together I call the American Covenant.

This study takes a foundational approach. While the empirical studies have measured the effects of Catholic schools in making good American citizens, I explore the reasons for this outcome. In doing so, I draw from many disciplines to examine the historical events, significant persons, and philosophical and theological arguments that together have created the American Catholic school. I conclude that if present trends in Catholic schooling continue, there is potentially a great loss to both American Catholicism and to the American republic.
ACKNOWLEDGMENTS

As I have told anyone who will listen, I have been very fortunate in my dissertation committee. They have been supportive, encouraging, enthusiastic, and patient. And each one of them has a sense of humor. I am grateful for all of that and for their advice. Two members influenced me even before this dissertation began to percolate in my head.

Averil McClelland introduced me to the concept of habitus or ethos and often started class with a good story. Natasha Levinson’s classes got me thinking about the ways we educate kids for citizenship. The individual investigations that she supervised gave me a chance to do research in topics that eventually turned up here. I am grateful, too, for her acting as sounding board as this project evolved over time. Catherine Hackney has been a blessing as well. I often wonder if her unfailing optimism has anything to do with her background in Catholic education.

Without their knowing it, two other faculty members also helped to get me to this point. As I was wrapping up my master’s degree in Educational Administration, Joanne Vacca encouraged me to pursue a doctorate. I applied for and was accepted into what was at the time called Curriculum and Instruction. James Henderson was my first professor and it seemed to me that his approach to education was foundational. He did not switch to Cultural Foundations, but I did.

I gladly acknowledge the professional and student staff at the KSU library, where, I understand, there is a shelf with my name on it in the will-call section, somewhere behind the circulation desk. Sadly, with this dissertation complete, some students are in danger of losing their jobs due to lack of available work.
My family and friends have supported and encouraged me in large and small ways too numerous to mention here. My daughter and son-in-law (Caoilte and Jake) have been understanding about missed get-togethers and abbreviated visits, especially upon their return from years overseas military postings. We will make up for that now.

Lastly, I owe more than I can say to my husband, Ted Joy, without whose encouragement I would not have pursued a doctorate. A great deal of this dissertation was worked out in conversations with him on long and short road trips. Now that it is finished, it’s not clear what we will talk about in the car. He cheered me on and shared the ups and downs of the process. He also reminded me that just because I had spent a lot of time researching a topic, that did not necessarily mean it belonged in this dissertation. I only cried a little. During this undertaking, he also assumed a lot of the cooking chores, convinced, I guess, that we could not sustain ourselves indefinitely on pizza, potato chips, and Oreos. (Though now we’ll never know.)
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INTRODUCTION
A METAPHOR EXPLAINED

Decades of studies have found that Catholic schools are more successful than any other kind of school in turning out good American citizens. Researchers are less sure about the reason that this is so. In this dissertation I propose that the reason for this is the ethos that pervades the Catholic school which, in turn, is based on Catholic anthropology—that is, the Church’s understanding of the nature of the human person, his or her relationship to others in society, and his or her relationship to the state.1 But this is not enough. While an ethos based on Catholic anthropology might explain why the schools turn out good citizens in general—the Church, after all, is a universal church—I am interested in why they turn out good American citizens. And the reason, I propose, is that the ideas of Catholic anthropology are compatible with—and, indeed underlie—the ideas of the American founding.2 In short, Catholic schools provide their students with two complimentary and overlapping sets of ideas. I do not propose to show how Catholic schools create good American citizens but, instead, to show why they do.3

1 A note seems in order at the outset of this project about the use of the word Man. Much of what is written today eschews the word man for what is seen as the more-inclusive person, a word that I myself use in many places in this study. In other places, though, man is a better fit. Thus, I will use man when quoting directly or in some instances of historical and traditional theological or philosophical discourse, and the word person when speaking in the present tense.

2 A definition of Catholic anthropology seems in order here. As the Catholic Encyclopedia explains, “Christian anthropology is the branch of theological study that investigates the origin, nature, and destiny of humans and of the universe in which they live. Reflection upon human origins and destiny yields the doctrines of creation and eschatology… Christian anthropology offers perspectives on the constitutive elements and experiences of human personhood—bodiliness and spirit, freedom and limitation, solitude and companionship, work and play, suffering and death, and, in specifically theological terms, sin and grace.” Thus, “Christian anthropology is distinct from the secular disciplines of anthropology, such as cultural anthropology, in that it moves beyond the descriptive and empirical toward the prescriptive and the normative. In other words, Christian thought does not simply consider how people actually live, but also makes claims about how people could and ought to live.” M.W. Pelzel, The New Catholic Encyclopedia, 2nd ed., vol. 3, s.v. “Christian Anthropology,” 531.

3 In the words of the inestimable Sherlock Holmes, as recorded by the good Dr. John Watson, “Once you eliminate the impossible, whatever remains, no matter how improbable, must be the truth.” There are, of course, those who insist that these words were made up out of whole cloth by Watson’s well-known literary agent, the Jesuit-educated, fallen-away Catholic Arthur Conan Doyle. In any event, they are recorded in Chapter 6 of The Sign of Four. It must
I do not necessarily mean a one-to-one correspondence of ideas. Part of the reason why I will not attempt such an exercise was explained by Thomas Jefferson, late in his life, telling where he had gotten the ideas he used in drafting the Declaration of Independence:

This was the object of the Declaration of Independence. Not to find out new principles, or new arguments, never before thought of, not merely to say things which had never been said before; but to place before mankind the common sense of the subject, in terms so plain and firm as to command their assent, and to justify ourselves in the independent stand we are compelled to take. Neither aiming at originality of principle or sentiment, nor yet copied from any particular and previous writing, it was intended to be an expression of the American mind, and to give to that expression the proper tone and spirit called for by the occasion. All its authority rests then on the harmonizing sentiments of the day, whether expressed in conversation, in letters, printed essays, or in the elementary books of public right…”

Rather, I will be talking about influence in the sense that legal scholar Charles Donahue uses the term:

The word “influence” … can be used to describe any relationship between people, institutions, or ideas where one can posit that a development in one person, institution or idea would not or might not have taken place had it not been for the fact that another person, institution, or idea was present or known….Rather than speaking of conscious borrowing, one must speak instead of parallels, of similarities of language, of coincidences that seem too striking to be coincidental.

This is how the argument I make shall proceed:

Chapter One, lays out the fundamental principles of Catholic anthropology, especially as they contribute to the school ethos. In this chapter as well as in Chapter 2, I lay the groundwork for understanding key Catholic values that are infused in Catholic schools, in ways that I explore in more detail in Chapters 5 and 6. The reader is asked to bear with me through these two
somewhat abstract conceptual and historical chapters. Chapter 2 examines some of the challenges to Catholic anthropology, forcing the Church to defend and articulate it for modern times. The focus will be on the battles over education. Chapter 3 looks at the circumstances that led to the creation of the Catholic school system in America. Chapter 4 explains the idea of the American Covenant and why G.K. Chesterton described America as a nation with the soul of a church. Chapter 5 summarizes the decades of studies on education for good citizenship, the conclusions of the researchers, and the questions that remain. Chapter 6 examines a set of ideas drawn from sociology, philosophy, and Catholic theology, that help to explain the ethos of Catholic schools. The ethos discussed here might not be easily observable in every Catholic school and in this project, I am talking about the normative ideal. However, the Catholic priest and sociologist Andrew Greeley makes an interesting observation in this regard. He maintains that the sacramental and communal style of education that Catholic schools provide

\[\text{n}\]o doubt, … work unselfconsciously. They were simply the way things were done, and still are. Catholic schools, like all high schools, are far from perfect, just as Catholic liturgies are far from perfect. Yet with all their imperfections, they still show some impact of the Catholic sensibility on ordinary life today, even if most Catholics, including Catholic leaders, are unaware of their existence.\(^6\)

I will conclude with a sort of summary and prospects for Catholic education, in which I take a moderately pessimistic position on its continued existence at least in the sense in which I have been talking about it here.

**A Metaphor Explained**

On the morning of April 2, 1776, four representatives of America’s Second Continental Congress, accompanied by a military bodyguard, boarded a sailing ship in New York harbor and set off on an arduous month-long, 400-mile journey up the Hudson River and then by horse and foot, bateaux and other small watercraft through forests, lakes and rivers to Quebec, the capital of French-speaking British North America, where a starving, quarreling, badly-defeated

American army huddled on the banks of the St. Lawrence River expecting to be wiped out momentarily by the arrival of a British army.\(^7\)

In 1774, the British Parliament had passed the Quebec Act providing freedom of worship to all settlers, including especially Catholics, within the newly-acquired Canadian province and extending that freedom south into what would eventually become the states of Ohio, Michigan, Indiana and Illinois. The thirteen American colonies erupted in protest. This was one of the last straws on the path to revolution. Along with several other British laws that limited American freedoms, the law became known as the Intolerable Acts.

With the outbreak of war in the spring of 1775, though, many American political leaders realized the importance of either keeping the Canadian Catholics neutral in the struggle or of persuading them to join with the hitherto anti-Catholic colonies against the very British who had given them more religious freedom than could be found anywhere in the English-speaking colonies to their south.\(^8\) To secure such an agreement with the French Catholics of Quebec, the Continental Congress chose two of its own members – Benjamin Franklin of Pennsylvania and Samuel Chase of Maryland – and a distinguished non-member, Charles Carroll of Carrollton – also a Marylander.\(^9\) Shortly before they were to depart, a fourth member was added, the cousin of Charles Carroll, John Carroll.

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John Adams described the four men and their mission in a February 18, 1776 letter to his wife Abigail.

Dr. Franklin, Mr. Chase, and Mr. Charles Carroll of Carrollton, in Maryland, are chosen to a committee to go into Canada. The characters of the first two you know. The last is not a member of Congress, but a gentleman of independent fortune, perhaps the largest in America, a hundred and fifty or two hundred thousand pounds sterling; educated in some university in France, though a native of America, of great abilities and learning, complete master of the French language, and a professor of the Roman Catholic religion, yet a warm, a firm, a zealous supporter of the rights of America, in whose cause he has hazarded his all. Mr. John Carroll, of Maryland, a Roman Catholic priest and a Jesuit, is to go with the committee, …The events of war are uncertain. We cannot insure success, but we can deserve it. I am happy in this provision for that important department, because I think it the best that could be made in our circumstances. Your prudence will direct you to communicate the circumstances of the priest, the Jesuit, and the Romish religion, only to such persons as can judge of the measure upon large and generous principles, and will not indiscreetly divulge it. The step was necessary, for the anathemas of the Church are very terrible to our friends in Canada.10

The mission was unsuccessful, but the companions who undertook the mission provide the metaphor for this dissertation.

Samuel Chase, the son of a prominent Episcopal minister, was generally recognized as the most brilliant and most fierce lawyer in the middle colonies, a master of both the common law and Christian theology, and a man with a singular gift for making and losing great fortunes through daring and – all too often – foolish business ventures. In time – after his completion of his mission to Quebec – he, like Franklin and Carroll of Carrollton, would become a signer of the Declaration of Independence and, most probably, one of its shapers.11 A decade-plus later he

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would be instrumental in seeing to the ratification of the newly-drafted Constitution. Later, George Washington named him to the first Supreme Court, where he was responsible for the introduction of Natural Law criteria in reviewing cases and insisting upon clear, written, formally-enacted black-letter law in all criminal cases.12

Benjamin Franklin had an international reputation as the embodiment of the Enlightenment. Reputedly, the Puritan-raised-and-bred Franklin was either a non-believer or a Deist, though he also had a reputation for being the champion of American Christian evangelists and the friend to all denominations of Christians, so much so that many pastors and ministers fervently believed him to be a secret member of their own religions. He would play crucial roles in the writing of the Declaration of Independence, the writing of the Constitution, and convincing France to aid the American colonies. And later still, on September morning in 1783, he would walk down the Rue Jacob to sign the Treaty of Paris, what was in effect another American declaration of independence.

Charles Carroll of Carrollton came from a completely different background than Chase or Franklin. A Catholic Marylander, he had no rights of citizenship and was forbidden, by law, a Catholic education. He was educated abroad by Jesuits, where he would receive not just a classical education but an education in republican ideas.13 Throughout the Revolution, Charles

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Carroll became the single, most important financier of the American cause and, at one point, when dissatisfied politicians and Army officers attempted a coup (the famous Conway Cabal) against George Washington, the commanding officer of the American military effort, he and Chase quashed it.14 Years later, both Charles Carroll and Chase were leading advocates for the adoption of the U.S. Constitution and Carroll would—in a roundabout way—become the Father of the Electoral College. 15

John Carroll, two years younger than Charles, was the least-known member of the quartet at the time. Carroll was charming and well-educated, a man of great physical presence, formidable intellect, and great learning in the classics, history, philosophy and religion. Like his older cousin, John Carroll had been educated, first, at St Omer. But unlike him, he had gone on to become a priest in the Jesuit order – a member of the order of Catholic religious known amongst Catholics [and their Enlightened adversaries and enemies] for their teaching in

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universities and work as scientists, their devotion to intellectual and political freedom, and for their unparalleled physical courage.\textsuperscript{16}

John Carroll would not have been in America at that time if Pope Clement XIV had not suppressed the Jesuit order.\textsuperscript{17} In 1773, Carroll had been ordained a priest and was still in Bruges, now in Belgium, teaching at the College of Saint Omer. On October 14\textsuperscript{th}, the Jesuits were forced out of the school, walking a long corridor formed by French soldiers facing them with fixed bayonets. This confirmed in Carroll’s mind, the importance of the separation of church and state. He and the rest of the Jesuits from the Society’s English Province, which ran the college, were taken to an already-abandoned structure that had been owned by Flemish Jesuits where they were held for anywhere from a few days to a few weeks before being released with no money, no personal property, and virtually no clothing. Carroll was able to make his way back to England where he spent the winter with wealthy Catholic friends and then the next spring sailed home to Maryland and to thirteen colonies that were on the verge of a war of revolution.

When the four men reached Quebec and tried to negotiate with the French-Canadians, the settlers would have none of it. Too many years of too much disrespect and discrimination had passed between the Americans and the Catholics.\textsuperscript{18} In the end, the seventy-year-old Franklin collapsed physically from a combination of illness and exhaustion; the others feared for his life.

\textsuperscript{18} Haw et al, \textit{Stormy Patriot}, 64.
To make matters even worse, the military situation had turned dire: many American soldiers were deserting, others were fleeing for their lives before continued assaults by French Canadians, their Indian allies and the British.

It was then that Father John Carroll took over the care of his companion, Benjamin Franklin, and with a handful of soldiers carried him back to Philadelphia, getting him there just in time for a rapidly recuperating Franklin to join John Adams and Thomas Jefferson in writing the almost-final draft of the Declaration of Independence. Later, while still in France, Franklin would personally persuade the Pope’s representative that when the time came to set up the Church in America (as opposed to its being under English bishops), John Carroll should be named its head – while at the same time explaining that the U.S. government would take no part in the decision. John Carroll would go on to establish Georgetown University and become the first Catholic bishop in Anglo-America, in effect the founder of the Catholic Church in the United States, with the aid of Franklin and the personal approval of his friend George Washington.

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21 John Carroll’s older brother Daniel Carroll also played an important role, influenced by his Jesuit education abroad and his experience as a Catholic in Maryland. He had been taught Jesuit philosophy and, at the time of his studies, Ives notes, no philosopher’s writings were receiving more attention than those of Francesco Suarez. Ives, *The Ark and the Dove*, 379-80 and 405. Daniel Carroll was responsible for two important provisions of the U.S. Constitution. He was on the committee that framed the First Amendment, an amendment which he had argued for at the Constitutional Convention because it secured equal right of conscience and forbade the establishment of religion at the national level. This was the Catholic view. He is responsible for the wording of the Tenth Amendment. In the original language, “powers not delegated by the Constitution are reserved to the states respectively.” Daniel Carroll changed the wording to: “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.” An advocate of direct election of the president—an idea not accepted by the Convention—he proposed the closest thing to it, the electoral college (an invention of
Such, then – in real life, in real lived history – is the grand metaphor for the Catholic Church and its encounter with both America and the Enlightenment and how the Church, its members and its teachings come together to complement the Founding ideas of this nation to create good American citizens. Four men, in friendship and shared mission, fitting together quite nicely in the confines of a single bateau.

CHAPTER 1
OF CATHOLIC ANTHROPOLOGY AND MAN

Every school day, students in Catholic schools enter the school building, greet and are greeted by their teachers, hang up their coats, go to their classrooms, do math problems, study history and all the other subjects that make up the curriculum, have lunch, talk with their friends and, perhaps, stay after school for sports or some other extracurricular activity. Because it is a Catholic school, students will have religion classes, go to Mass together, and observe holy days and saints’ days in some special way. Crucifixes are on the walls along with the American flag. This is all very ordinary, but I propose that something extraordinary is going on without fanfare, something that even the teachers are not especially conscious of, something that it is difficult to put one’s finger on. It is the ethos of the school. Among the other things accomplished by this something, this ethos, is the creation of good citizens. To understand why it is that Catholic schools do a superior job of turning out good American citizens, it is necessary to know something about the ethos that pervades the school. To understand the ethos, it necessary to understand Catholic Anthropology.

To begin to understand Catholic Anthropology – and by that, of course, I mean the philosophy and theology of just who and what the human person is – I will start, instead, with something else, the Catholic idea of history. Christopher Dawson explains, “the Christian view of history is not merely a belief in the direction of history by divine Providence, it is a belief in the intervention by God in the life of mankind by direct action at certain definite points in time and place.”

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The word “Providence” is key here. And it is a difficult concept to understand. Another explanation of it says that providence “is the act whereby He [i.e., God] causes, cares for, and directs all creatures to their particular ends, in attaining which each one contributes to the final purpose of the universe.”

The Catechism explains:

Creation has its own goodness and proper perfection, but it did not spring forth complete from the hands of the Creator. The universe was created "in a state of journeying" (in statu viae) toward an ultimate perfection yet to be attained, to which God has destined it. We call "divine providence" the dispositions by which God guides his creation toward this perfection.

God is the sovereign master of his plan. But to carry it out he also makes use of his creatures' co-operation. This use is … a token of almighty God's greatness and goodness. For God grants his creatures not only their existence, but also the dignity of acting on their own, of being causes and principles for each other, and thus of co-operating in the accomplishment of his plan.

The importance of community is already obvious here, the communion of persons. The Catechism continues:

God created man and woman together and willed each for the other…The woman … elicits on the man’s part a cry of wonder, an exclamation of love and communion…Man discovers woman as another ‘I’ sharing the same humanity…[God] created them to be a communion of persons… for they are equal as persons …and complementary as masculine and feminine.

But Man’s life was not to remain so idyllic. Chapter 3 of the Book of Genesis tells the story of how Adam and Eve were driven out of the Garden of Eden as the result of their being tempted by

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4 CCC, 306.
5 CCC, 371-72.
the devil and having eaten from the fruit of the Tree of the Knowledge of Good and Evil.6 The harmony between them and with creation is broken.

In that sin man preferred himself to God and by that very act scorned him. He chose himself over and against God, against the requirements of his creaturely status and therefore against his own good. Created in a state of holiness, man was destined to be fully "divinized" by God in glory. Seduced by the devil, he wanted to "be like God," but "without God, before God, and not in accordance with God."7

The effects of this sin did not end with Adam and Eve; in addition, their actions gave rise to what is called original sin

By yielding to the tempter, Adam and Eve committed a personal sin, but this sin affected the human nature that they would then transmit in a fallen state. It is a sin which will be transmitted by propagation to all mankind, that is, by the transmission of a human nature deprived of original holiness and justice.8

[The] overwhelming misery which oppresses men and their inclination towards evil and death cannot be understood apart from their connection with Adam's sin and the fact that he has transmitted to us a sin with which we are all born afflicted, a sin which is the "death of the soul."9

How did the sin of Adam become the sin of all his descendants? [It happened because] the whole human race is in Adam "as one body of one man"… [We] know by Revelation that Adam had received original holiness and justice not for himself alone, but for all human nature. By this "unity of the human race" all men are implicated in Adam's sin.10

Still, the transmission of original sin is a mystery11 that we cannot fully understand. and that is why original sin is called "sin" only in an analogical sense: it is a sin "contracted" and not "committed" - a state and not an act.12

Although it is proper to each individual, original sin does not have the character of a personal fault in any of Adam's descendants. It is a deprivation of original holiness and

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6 According to the Catechism, “The account of the fall in Genesis 3 uses figurative language, but affirms a primeval event, a deed that took place at the beginning of the history of man.” CCC, 390. And, “The ‘tree of the knowledge of good and evil’ symbolically evokes the insurmountable limits that man, being a creature, must freely recognize and respect with trust.” CCC, 396.
7 CCC, 398.
8 CCC, 404.
9 CCC, 403.
10 CCC, 404
11 From time to time throughout this study I will resort to the word “mystery” to account for various theological statements. I could probably use it a lot more often. One good definition of what “mystery” means in this context is “a truth that human beings cannot discover except from revelation and that, even after revelation, exceeds their comprehension.” Avery Dulles, The New Catholic Encyclopedia, 2nd ed., vol. 10, s.v. “Mystery (In Theology),” 82.
12 CCC, 404.
justice, but human nature has not been totally corrupted: it is wounded in the natural powers proper to it, subject to ignorance, suffering and the dominion of death, and inclined to sin - an inclination to evil that is called concupiscence". … the consequences for nature, weakened and inclined to evil, persist in man and summon him to spiritual battle.¹³

Yet Catholicism is optimistic. Though it believes, as stated above, that man’s soul has been badly damaged by original sin, and by subsequent self-inflicted sins, man is only damaged and not “totally depraved.”¹⁴ God’s grace is always available and continually offered, though man is free to accept or reject it.

God’s free initiative demands man’s free response, for God has created man in his image by conferring on him, along with freedom, the power to know him and love him. The soul only enters freely into the communion of love.¹⁵

Again, we see the importance of community. Grace is not for the individual alone, but “includes the gifts that the Spirit grants us to associate us with his work, to enable us to collaborate in the salvation of others and in the growth of the Body of Christ.” Grace is intended for the common good.¹⁶

All of Catholic Anthropology derives, ultimately, from three short passages from Sacred Scripture:

God created man in his image; In the divine image he created him; Male and female he created them.¹⁷

When God created man, he made him in the likeness of God.¹⁸

¹³ CCC, 405.
¹⁵ CCC, 2002.
¹⁶ CCC, 2003. I will have more to say about the Mystical Body of Christ shortly.
¹⁷ Genesis 1:27; in the King James Version: "So God created man in his own image, in the image of God created he him; male and female created he them."
¹⁸ Gen 5:1; in KJV: "In the day that God created man, in the likeness of God made he him."
For in the image of God has man been made.¹⁹

For the reasonably close reader of these three passages, it seems that two obvious questions are likely to occur: first, are the "image of God," the "divine image," and the 'likeness of God" all the same thing? and, if they are not, how do they differ? And, second, if God is a spiritual Being, wholly supernatural in His character, how then can human beings be made in His image? Starting with the question of whether or not the "image of God"²⁰ and the "likeness of God" are the same thing. The answer is both yes and no. As a general practice, most religious thinkers nowadays use the terms more or less synonymously. Some, however – and more often in the distant past than in relatively contemporary times—differentiate between the two with the "image of God" referring to two of the essential characteristics that God and man share—those being Reason and Free Will—and the "likeness of God" being the total character of man before his Fall and being also the condition, which man is constantly striving to re-establish.²¹

In Catholic Anthropology, there are nearly always two unique characteristics that define the mind of the human person: Reason and Free Will.

Yet reason and freedom are related. Thus,

An individual endowed with reason is a distinct species bearing a special name, person. Endowed with reason and freedom, a human individual verifies in a very special way the full self-possession that is the essence of individuality: he is unlike other individuals without reason and freedom inasmuch as he is master of his own acts and is free and independent in his direction of them towards his last end. Further, since he is responsible for his destiny he has the right, in the society in which he finds himself, to do and to demand whatever the achievement of his end requires; he is the subject of inviolable rights, a moral and juridical person or individual; in consequence, if reason and natural

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¹⁹ Gen 9:6; in KJV: "for in the image of God made he man."
²⁰ The "divine image" is almost universally conceded amongst translators, Biblical scholars, and theologians to be merely a different translation of the same words as "image of God."
right are regarded, he may not be used as a mere tool, a thing \{res\}, or treated, in other words, as a slave.\(^\text{22}\)

Further, as the *Catechism* explains:

The more one does what is good, the freer one becomes. There is no true freedom except in the service of what is good and just. The choice to disobey and do evil is an abuse of freedom and leads to "the slavery of sin."\(^\text{23}\)

Reason is the chief instrument people use in seeking Truth and the highest order of Truth is “God, who is Truth itself.” \(^\text{24}\)

All men are bound to seek the Truth… and to embrace it and hold on to it as they come to know it. This duty derives from ‘the very dignity’ of the human person.\(^\text{25}\)

Related to the duty to pursue truth is the idea that “By natural reason man can know God with certainty, on the basis of His works.\(^\text{26}\) As we will see in Chapter 5, these two ideas contribute in important ways to the ethos of the Catholic school. What the Church is saying is that God’s relationship to the world He has created is like the way the painter is reflected in his painting, the poet in his poem, the craftsman in his work. The connoisseur of such things can come to have a strong and definite feel for each maker but never definitively know him. Knowing the maker requires the knower to take even further steps.

Which brings us to St. Thomas Aquinas and what he has to say about law. Law, he said, has four characteristics. It must be “nothing else than [1] an ordinance of reason [2] for the common good, [3] made by him who has care of the community and [4] promulgated.”\(^\text{27}\) Since


\(^\text{23}\) CCC, 1733.

\(^\text{24}\) CCC, 144.

\(^\text{25}\) CCC, 2104.

\(^\text{26}\) CCC, 50.

\(^\text{27}\) A just law appeals to reason. That is, it is “a matter of intelligent direction addressed to the intelligence and reason of those whom it directs.” Second, it must be for the common good. Because it is directed to the common good, it appeals to reason and gives people a reason to support it. Third, it must be properly promulgated. That is, it must be
human law was aimed at real-world actions it had to fit an end determined by human nature. laws
were teleologically determined and that *telos* was the Catholic end point, Man’s unity with God
in the afterlife. Any law that did not meet those four criteria were, by Thomas’s definition,
unjust. And unjust laws were, according to him, not laws at all. Of most importance here is what
Aquinas said about natural law. First, was his precept that Natural Law was a self-evident truth.
And, according to Aquinas, Natural Law is “based on a single first principle: "good is to be done
and ensued [*prosequendum*], and evil is to be avoided. All other precepts of the natural law are
based upon this, so that whatever the practical reason naturally apprehends as man's good (or
evil) belongs to the precepts of the natural law as something to be done or avoided.”

And this is where Reason comes in. According to Aquinas, Natural Law is that law
which is written on the hearts of all men by God. And, according to the *Catechism*:

> The natural law expresses the original moral sense which enables man to discern by
> reason the good and the evil, the truth and the lie.

Intimately connected with the matter of Natural Law is Thomas’s invoking of the
Common Good. Essentially, the idea of the Common Good was not a new one with Thomas. In

communicated to the people. Fourth, the law must be promulgated by a competent authority, the person or body that
“has the care of the community.” John Finnis, “Aquinas’ Moral, Political, and Legal Philosophy,” *Stanford
*Summa Theologiae* I-II q. 90 a. Jack Donnelly, “Natural Law and Right in Aquinas’ Political Thought,” *The
Western Political Quarterly* 33, no. 4 (1980): 520. When Aquinas wrote his *Summa Theologiae* in the mid-to-late
1260s, he defined four kinds of law: eternal law, natural law, human law and divine law. Eternal law is the law put
forth by God that structured and ordered all of Creation. Natural law is like eternal law except it deals solely with
human affairs. Human law is the ordinances, regulations, et cetera enacted or decreed by human agents such as kings
and councils. Today, this is generally called positive law or, less formally, black-letter law. Divine law is the law of
nature’s God as set out in the Old and New Testaments: in other words, the Ten Commandments and the New Law
which Jesus announced in the Sermon on the Mount.

Donnelly, “Natural Law and Right in Aquinas,” 520.
29 Ibid, 522-23.
30 *CCC*, 1954.
31 “Common Good” is the English translation/explanation of the Latin phrase “*res publica*” which can also be
translated as either the “public matter” or “the thing of the people.” It, of course, later became transformed into
“republic.” “Common Good” by the 18th Century was more commonly referred to as the “Common Weal” where
“weal” meant some combination of prosperity, a flourishing state or condition, the public interest or a republic.
When applied to a form of government, it was called a “commonwealth.” Samuel Johnson, *A Dictionary of the
various places throughout his œuvre, Thomas addressed these issues in one form or the other in regard to Plato’s Republic and Laws, in Aristotle’s Nicomachean Ethics and Politics, in Cicero’s De Re Republica, and, of course, Augustine’s City of God.

Despite the seemingly transparent simplicity of the concept, Common Good raises all sorts of problems. Contemporary philosopher of law Mark C. Murphy explains it this way:

The differences among natural law views on the character of the common good are not trivial: they concern such deep issues as whether the common good should be understood as an intrinsic or an instrumental good, and whether the common good should be understood in relation to the good of individuals of that community or solely in relation to the good of the community as a whole. If one aims to develop a natural law account of the political order, then, one cannot remain neutral with respect to the various natural law understandings of the common good, for these various understandings are almost certain to yield differing conclusions on the source, functions, and limits of political authority.\textsuperscript{32}

The Catechism explains the Church’s understanding of the Common Good this way:

The common good is always oriented towards the progress of persons: "The order of things must be subordinate to the order of persons, and not the other way around." This order is founded on truth, built up in justice, and animated by love.\textsuperscript{33}

By common good is to be understood "the sum total of social conditions which allow people, either as groups or as individuals, to reach their fulfillment more fully and more easily." The common good concerns the life of all. It calls for prudence from each, and even more from those who exercise the office of authority. It consists of three essential elements:\textsuperscript{34}

First, the common good presupposes respect for the person as such. In the name of the common good, public authorities are bound to respect the fundamental and inalienable rights of the human person. Society should permit each of its members to fulfill his vocation. In particular, the common good resides in the conditions for the exercise of the natural freedoms indispensable for the development of the human vocation, such as "the right to act according to a sound norm of conscience and to safeguard . . . privacy, and rightful freedom also in matters of religion."\textsuperscript{35}


\textsuperscript{32} Mark C. Murphy, \textit{The Review of Metaphysics} 59, no 1 (2005): 133.
\textsuperscript{33} \textit{CCC}, 1912.
\textsuperscript{34} \textit{CCC}, 1906.
\textsuperscript{35} \textit{CCC}, 1907.
Second, the common good requires the social well-being and development of the group itself. … [It] is the proper function of authority to … make accessible to each what is needed to lead a truly human life: food, clothing, health, work, education and culture, suitable information, the right to establish a family, and so on.36

Finally, the common good requires peace, that is, the stability and security of a just order. It presupposes that authority should ensure by morally acceptable means the security of society and its members. It is the basis of the right to legitimate personal and collective defence.37

The key to understanding this explanation of the Common Good is to be found in the first of the three elements and that is the word “vocation.” In common parlance now, it generally means nothing much more than a person’s career or life’s work. But, in terms of Catholicism, it means much, much more. To begin with, “vocation” finds its root in the Latin verb voco which means to call or to summon. Therefore, a vocation is a calling forth or a summoning. And to Catholics, that summoning can come from only one place: God himself. In the words of the Catechism, “at every time and in every place, God draws close to man. He calls man to seek him, to know him, to love him with all his strength. He calls together all men, scattered and divided by sin, into the unity of his family.”38 At the highest level of the Magisterium, Vatican Council II in the pastoral constitution Gaudium et Spes put forth the statement, “The dignity of man rests

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36 CCC, 1908.
37 CCC, 1909.
38 CCC, 1.
39 The word Magisterium comes from the old Latin word magister which means teacher. And that is exactly what the Magisterium is: it is the teacher (and the teachings) of the Catholic Church. A phrase often used within the Church as a synonym for the Magisterium is “the teaching office.” Generally speaking, there are said to be three streams to the over-all Magisterium. The first stream is Sacred Scripture itself. The second is usually called Sacred Tradition. Sacred Tradition means the teachings of Jesus to his immediate followers – most especially those called the Twelve Apostles -- and the teachings of these immediate Apostles to others. The teachings of St. Paul are also included. Together these two streams are usually called Revelation or the Sacred Deposit of the Faith. The third stream, somewhat confusingly, is also called the Magisterium. It refers to “the task of interpretation [which] has been entrusted to the bishops in communion with the successor of Peter, the Bishop of Rome.” Thus, Catholicism “is not a religion of the book…[It] is the religion of the ‘Word’…which is incarnate and living.” CCC, 83, 84, 85, 108.
above all on the fact that he is called to communion with God. This invitation to converse with God is addressed to man as soon as he comes into being.”40

Although Aquinas’s teaching on the Common Good is both expansive and intricate, the 20th Century Franco-American lay theologian Jacques Maritain describes the core of it:

The most essential and the dearest aim of Thomism is to make sure that the personal contact of all intellectual creatures with God, as well as their personal subordination to God, be in no way interrupted. Everything else -the whole universe and every social institution - must ultimately minister to this purpose; everything must foster and strengthen and protect the conversation of the soul, every soul, with God.41

Previous philosophers and theologians in the Classical and Christian traditions called the end product of this seeking of God eudaimonia, which can be translated as something like soul-flourishing or happiness. Thomas, himself, called it beatitudo.

Aristotle, Thomas’s millennium-and-a-half-dead interlocutor throughout the Summa, had probably the most important pre-Christian philosophy of happiness. For Aristotle, eudaimonia was the outcome of living virtuously with the caveat that for him virtue was not only some high moral standard of behavior but also – and, perhaps, more importantly –performing one’s function excellently. Thus, a soldier would be virtuous by hacking, slicing, stabbing and cutting with great skill and daring while a musician would be virtuous by playing marvelous music. Neither would necessarily have to be what most Christians considered a good guy. Unlike Christians, the Philosopher – as Aquinas nearly always referred to Aristotle – had no place in his concept of happiness for a union with God in some afterlife. As close as Aristotle came to that was his seeker-after-happiness’s interactions with his fellow citizens in his polis, because, for him, the

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city-state was the instrument and environment in which the seeker acted and, by acting, achieved

St. Augustine, Bishop of Hippo and Aquinas’s main Christian interlocutor, lived at a
point in time half-way between Aristotle and Thomas. During his lifetime, the Western Roman
Empire was disintegrating all around him and, partly because Christianity had lately been made
the official religion of the Empire, the Christians were receiving the brunt of the blame. Given
the objective situation and, probably, Augustine’s own intellect and dour disposition, the Bishop
saw little way of achieving any meaningful happiness on earth. If happiness were to be found, he
argued, it would only come after death and only to those not predestined to eternal damnation.
Book XIX of his \textit{City of God} pretty thoroughly spells out his gloomy – no, far more than gloomy

Thomas accepted neither of these approaches to happiness (or \textit{beatitudo}, as he called it –
though the meanings are not quite the same, for \textit{beatitudo} also connotes something much deeper,
much more spiritual and much more enduring.) Thomas agreed with Augustine that the ultimate,
the real happiness was to be found only with God after a person’s earthly death. But he also
agreed with Aristotle that there was a sort of happiness available while a person was still on earth
and, like Aristotle, Thomas thought that virtue was a key to earthly happiness (as well as to
\textit{beatitudo}), though his and The Philosopher’s notion of just what constituted virtue were not
quite the same.
In a book called *The Categories*, Aristotle had set about to solve the problem of how to describe virtually all things and all ideas. They were: substance, quantity, quality, relation, place, time, position/attitude, state, action, change/result. At the University of Paris, Aquinas and his teacher, the German Dominican at the University of Paris, known today as Albertus Magnus, Albert the Great, were leaders in the revival of interest in Aristotle. Eventually, Aristotle’s categories were renamed and reduced to three: The Good, the True, and Beautiful. From there, it was just a short philosophical/theological step to the realization or admission that the True, the Good and the Beautiful were all, ultimately, just descriptions of God Himself. It then became obvious that if anyone were to seek the True, the Good, or the Beautiful or any combination of them, he was also seeking God. And if a person were seeking unity with God, that is, seeking *beatitudo* (or, put another way, pursuing happiness) – he was also seeking the True, the Good, and the Beautiful.

In other words, the same things that took a person to God in Heaven also led to a sort of Happiness on earth. To the extent that they were able to find any or all of these three transcendentals, they were achieving happiness – not *beatitudo*, to be sure, but an everyday reflection of it that Thomas and his followers came to call *felicitas*.

Natural Law and Divine Law can be thought of as the rules according to which the seeking of happiness takes place. And here I am going to have to slip into a metaphor to try to explain the point that I am trying to make. In any sport, the rules set the parameters of how the game is played, what is and is not acceptable. They set up a set of rewards and punishments. But there is more, much more to the game than just the rules. Most notably, the players and what they bring to the game as individuals, specifically their skills and attitudes. Aquinas and the Church, having defined the rules of the game, now needed a set of attitudes – or in the everyday
language of the Church, habits of mind - to inculcate into those who were seeking beatitudo. These habits of mind are also known more commonly known as virtues. The Church teaches that there are seven virtues: the three theological virtues of faith, hope and charity and the four cardinal virtues of justice, temperance, fortitude, and prudence.

Prudence, which was first fully articulated by Aristotle, is considered the “mother” of all of the cardinal virtues, the one that drives the application of all of them. It has been defined as “right reason applied to practice” and, more fully, as “an intellectual habit enabling us to see in any given juncture of human affairs what is virtuous and what is not, and how to come at the one and avoid the other.” In many ways, it can be considered as the most purely intellectual of the virtues and as the application of man’s Reason to the everyday world and to the use and moderation of his Free Will.

There is still one more aspect of Thomas’s and the Church’s thought on arriving at Happiness that I need to talk about and that is Community. Like Aristotle, Thomas argued that to be fully human, man must live in political society and, like Aristotle, Thomas claimed that the person who was separated from society (or political Community) so as to be completely a-political must be either sub-human or super-human – “a beast or a god.” By becoming parts of a political community, men and women are exposed to the hopes, skills and needs of others and this forces them to broaden their horizons beyond their mere basic level physical needs and bodily desires. It also gives them -- better yet, demands of them -- acquisition of more complex skills and detailed knowledge of the world around them. What started out merely as a means of

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46 The next several paragraphs follow very closely the argument that Peter Koritansky makes in “Thomas Aquinas: Political Philosophy,” The Internet Encyclopedia of Philosophy, ” http://www.iep.utm.edu/aqui-pol/. In many places, it is little more than a paraphrase of Koritansky.
living, inevitably transforms itself into a matter of “living well.” It is in this social setting of the political community in which man begins to find his highest natural fulfillment.

But, in order for this to happen, the political community must adopt, either explicitly or implicitly, a set of goals for the community as a whole. In other words, the political community gives rise to the Common Good. This, of course, implies a Natural Law which binds the whole political community, and this points to the existence of a God who “consciously and providently governs human affairs as a whole. Hence the very existence of natural law implies a more universal community under God that transcends political society.”

John Finnis complements this understanding (in a heavily edited set of quotations):

[For Aquinas], The ultimate end of [each] human life is _felicitas_ or _beatitudo_.

[When] Aquinas does refer to _beatitudo_ as fundamental to identifying the principles of practical reason and … moral law, he in the same breath emphasizes that this is not to be thought of as the happiness of the deliberating and acting individual alone, but rather as the _common_ flourishing of the community ….

Since Aquinas thinks that the existence and providence of God, as the transcendent source of all persons and benefits, is certain, his usual statement of the master moral principle affirms that one should love God and one’s-neighbor-as-oneself.

To love someone is essentially to will that person’s good. The reasonable priorities among all these persons as objects of one’s love, goodwill and care are … a matter of right and justice. 47

The Church agrees with Thomas as far as he goes here. The _Catechism_ says (though in these quotes it uses “society” as roughly the equivalent of Thomas’s political community):

A society is a group of persons bound together organically by a principle of unity that goes beyond each one of them. As an assembly that is at once visible and spiritual, a society endures through time: it gathers up the past and prepares for the future. 48


48 _CCC_, 1880.
The human person needs to live in society. Society is not for him an extraneous addition but a requirement of his nature. Through the exchange with others, mutual service and dialogue with his brethren, man develops his potential; he thus responds to his vocation.49

Each community is defined by its purpose and consequently obeys specific rules; but "the human person . . . is and ought to be the principle, the subject and the end of all social institutions."50

Certain societies, such as the family and the state, correspond more directly to the nature of man; they are necessary to him. To promote the participation of the greatest number in the life of a society, the creation of voluntary associations and institutions must be encouraged … which relate to economic and social goals, to cultural and recreational activities, to sport, to various professions, and to political affairs. This "socialization" also expresses the natural tendency for human beings to associate with one another for the sake of attaining objectives that exceed individual capacities.51

This understanding of community is, of course, basically sociological. That is, it deals mostly with the Church as it dwells in the mundane world. But the Church is not merely of-this-world. It is also – and primarily – supernatural, it finds its roots and its innermost being in the world of the Spirit. Two of the most powerful descriptions of the Church considered in this way are that of the Communion of Saints and that of the Mystici Corporis Christi, the Mystical Body of Christ.

The Communion of Saints is the easier of the two to explain.52 “Communion” is one of those words that are key to understanding what Catholicism is and what it means. As might be expected with almost all things Catholic, it has a variety of shadings and nuances of meaning. But for our purposes we can say it means to be in a reciprocal contact with someone or something on both a deeply spiritual level and, to a lesser extent, on a physical level. Saints in this case does not mean those individuals given the title of “saint” by the Church. Instead, it means all of those persons or souls who are trying to get to Heaven or who have already arrived

49 CCC, 1879.
50 CCC, 1881.
51 CCC, 1882.
there. (Of course, then, the “saints” are also all saints.) The three groups are those still on earth, those in purgatory waiting to get into heaven and those already in heaven. Those on earth pray for those in purgatory and ask those already in heaven to pray for them. In this way, all three groups form a communion which in certain supernatural ways is also a community.

The theology of the Mystical Body of Christ (the *Mystici Corporis Christi*) is a much more complex one. In its simplest form, the Mystical Body of Christ is the Catholic Church, called the “Body of Christ” because it is an institution established by Jesus at the time of the Last Supper and called “Mystical” because it partakes of both worldly and the supernatural elements, elements not mixed together, not fused together, but separate and the same at the same time. There are many aspects to this Mystical Body, not the least important of which is its being a communion or community.

The importance of community is of great importance in two ways. It is a crucial aspect of Catholic anthropology and, as we will see in Chapter 5, researchers have found it necessary in the making of good citizens.

Two other things should be mentioned here because they are also important aspects of the ethos of Catholic schools, and those are sacraments and sacramentals.

According to the Catechism:

The purpose of the sacraments is to sanctify men, to build up the Body of Christ and finally, to give worship to God.\(^\text{54}\)

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\(^{53}\) Pius XII, *Mystici Corporis Christi, Encyclical on the Mystical Body of Christ*, Encyclical Letter, Vatican Website, June 29, 1943, [http://w2.vatican.va/content/pius-xii/en/encyclicals/documents/hf_p-xii_enc_29061943_mystici-corporis-christi.html](http://w2.vatican.va/content/pius-xii/en/encyclicals/documents/hf_p-xii_enc_29061943_mystici-corporis-christi.html).

\(^{54}\) CCC, 1123. The seven sacraments are Baptism, Penance, Holy Communion (Eucharist), Confirmation, Anointing of the Sick (formerly Extreme Unction), Holy Orders, and Matrimony.
Further, “they convey the grace that they signify.”\textsuperscript{55} That is, the sign of the sacrament is also the sacrament. For example, in the Sacrament of Baptism, pouring water on the head of the child is both a symbol of his or her being cleansed of original sin and, also, the act that cleanses him or her.

Sacramentals, to perhaps oversimplify, are sacred signs that bring people closer to God.\textsuperscript{56} They include rosaries, holy water, religious medals, holy oils, crucifixes, holy cards, and much more. For a Catholic, literally everything in the world, in the universe for that matter, is evidence of God. Everything points to him. And in that sense, the world is itself a sacramental. Put in other words, the world is enchanted by God. This way of looking at the world contributes to the ethos of the Catholic school.

\textsuperscript{55} CCC, 1127.

\textsuperscript{56} CCC 1677.
CHAPTER 2

OF CATHOLIC ANTHROPOLOGY AND THE RUINS OF REASON

As we have already seen, the Church had established the most fundamental parts of its anthropology—the nature of Man and its own theory of man’s relationship to the State—long before the modern era. In many ways, for its first 18 centuries the Church was in an incessant battle with the States, as the States’ various leaders and rulers constantly tried to gain control over, first, the Church’s earthly structure, and alternately, its belief system. But as virulent, and even violent, as these struggles between the Church and the States sometimes became, it was not until the late 18th Century that the State began an ongoing effort to not only gain control over both the Church’s structure and property, but also to destroy the Church, root, stock, and theology.

In the years following the French Revolution of 1789, the Catholic Church has been attacked in the name of liberalism, republicanism, reason and science, as an obstacle to

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progress and national unity, and as a threat to national security. Communist governments have attacked her in the name of “people’s democracies.”

Ironically, governments that proclaim the separation of church and state in the name of secularism, have often been the ones most intent on, not separating from the Church, but instead, regulating the Church and denying her autonomy. Everywhere, education became the battleground. It was here that ideological battles were fought. It is on this ongoing struggle between the Church and State over education that this chapter shall focus. As I shall show in the chapters that follow, America provided a

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different model. Even in America, however, there would be battles over education. Before that can be considered, however, it is necessary to look first at the French Revolution and the effect it had on other states and on the thinking of the Church.

The French Revolution was the most traumatic event in the history of the Catholic Church. On this, virtually every historian and theologian in the field agrees. In the space of a generation, everything changed. It was a period that, as McGovern put it, deeply scarred the psyche of the Church and would affect her response to social and political change for almost two centuries.11 The Revolution, it has been said, marked the end of Christendom and the beginning of modern times.12 As the French historian François Furet notes, it was the sudden—almost

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overnight—abolishment of the existing order and the creation “of a wholly modern, individualistic society.” It was “philosophy’s destruction of a world.” Kohler notes:

This is the heart of what came to be known as ‘the social question,’ which raises fundamental queries about human nature and the possibilities for pursuing life in common. It addresses political, economic, and legal relationships; the nature of the family, work, and other social relationships; the role of the state; the institutions of civil society; the anthropology of the person; and more.

Freedom, Pope Benedict XVI has written, has been the defining theme of the modern era. For two hundred and fifty years, the Catholic Church has been reasserting her anthropology, including her understanding of human freedom, against what she calls the false anthropologies that have challenged her own, beginning with the lead-up to the French Revolution. While the Church has responded to what it refers to as the false anthropologies of several philosophers—including Immanuel Kant, Karl Marx, and Frederick Nietzsche—perhaps the most important challenge can be found in the philosophy of Jean-Jacques Rousseau.

As Pope John Paul II explains:

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16 Kohler, “Rebuilding Democracy.”
The culture and praxis of totalitarianism also involve a rejection of the Church. The State or the party which claims to be able to lead history towards perfect goodness, and which sets itself above all values, cannot tolerate the affirmation of an objective criterion of good and evil beyond the will of those in power, since such a criterion, in given circumstances, could be used to judge their actions. This explains why totalitarianism attempts to destroy the Church, or at least to reduce her to submission, making her an instrument of its own ideological apparatus.19

As Timothy Sean Quinn notes:

Thus, central to this emancipatory aim was the need to replace the ‘false’ rationality of the Middle Ages with a ‘true’ rationality that would sustain the autonomy of reason. Since that false rationality was characterized by its subordination to faith, liberating reason from faith became a primary goal of modern philosophy.20

Pope John Paul II noted that modern totalitarian states have inherited a philosophical error from the French revolutionaries. It is the absolutist certitude that they are “exempt from error.”21 They hold that a new kind of person is required for a utopian state.

As Lester Crocker observes,

History and common sense show that there is no more destructive illusion than to think there can be a definitive, absolute solution for the ills of society and human experience… No procrustean bed is conducive to human welfare. 22

Crocker argues, and the Israeli historian J.L. Talmon agrees, that any political philosophy that claims to be the answer to all human problems is, by definition, totalitarian.23 Those who

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19 John Paul II, Centesimus Annus, 45.
call for a new man in a utopian state forget, Pope Benedict XVI writes, that man always remains man. He always remains free and that freedom must be constantly won over for the cause of good. For the same reason, the guarantee of a better world on earth—a kingdom of good in this world that will last forever—is a false promise. It ignores the fact of man’s freedom. 24

*Rerum Novarum*, the 1891 encyclical of Pope Leo XIII is considered the beginning of the Church’s social teaching, although earlier popes and Leo himself began the response even before that. Still, *Rerum Novarum* is a good marker for the start of what I choose to call the Church’s Century of Response. The closing marker is John Paul II’s 1991 encyclical, *Centesimus Annus*, promulgated on the anniversary of *Rerum Novarum*.

France’s actions against the Church—that is, the attacks on the Church hierarchy (most especially the bishops), the seizure of Church property, the efforts to remove the Church from the daily lives of the people, the censorship of sermons, encyclicals and publications, and the control of education—established a pattern that was repeated around the world. I will focus on two of those efforts: control of education and attacks on bishops, the teachers of their flocks.

**The Anthropology of Jean-Jacques Rousseau**

Perhaps the greatest challenge to the Church’s anthropology was that put forward by Rousseau. 25 His influence can be seen across an impressively broad range of thinkers and actors who would surely not agree with each other, from the actions of brutal dictators such as Robespierre 26 and


26 The German romantic poet Heinrich Heine famously wrote in 1834 that “Maximilien Robespierre was nothing but the hand of Jean-Jacques Rousseau, the bloody hand that drew forth from the womb of time the body whose soul
Pol Pot, to the philosophical writings of college professors like Immanuel Kant and John Rawls.  

In Rousseau’s anthropology, man’s nature is plastic and it is the state’s responsibility to change it.

Those who dare to undertake the institution of a people must feel themselves capable, as it were, of changing human nature, of transforming each individual . . . into a part of a much greater whole, from which he in some measure receives his being and his life; of altering the constitution of man for the purpose of strengthening it.

Human beings, for Rousseau, are not by nature social animals, nor are they naturally good. Before entering society, they are no more than innocent brutes.
It seems at first that men in that state [of nature], not having among themselves any kind of moral relationship or known duties, could be neither good nor evil, and had neither vices or virtues.”

And: …there would have been neither goodness in our hearts or morality in our actions. 29

Man is in effect a blank slate, a *tabula rasa*, influenced by the society in which he finds himself. The source of sin and evil in the world is not a result of man’s nature or Original Sin. It is the corrupting effect of knowledge and progress. “[H]uman Society,” he says, “moves men to hate one another in proportion as their interests clash…”  Society privileges the few and oppresses the many. It promotes inequality and competition. Inequality is the root of all evil and the vanity engendered by comparing oneself with others is the fundamental vice. Thus, although man is “born free… everywhere he is in chains,” the self-imposed chains of the conventions of a corrupting society, with its wars, crime and injustice.30

For Rousseau, the essence of man is freedom. A man who cannot autonomously choose his own ends, he said, is not truly human. On the other hand, the social contract requires giving up some freedoms. Rousseau believed he had solved the problem of these competing demands—freedom and political authority—with the idea of the general will.31 It required “the surrender of

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30 Pius IX, in the encyclical *Ad Salutem* (On St. Augustine) promulgated on April 30, 1930, noted the error of Rousseau’s understanding of man’s nature. Without naming Rousseau, he wrote: “It is abundantly clear that readers of Augustine will not be caught in the toils of that pernicious error, which was widespread during the eighteenth century, namely, that the inborn impulses of the will should neither be feared nor curbed, since all of them are right and sound.” *Ad Salutem*, 32. [https://www.catholicculture.org/culture/library/view.cfm?recnum=4956](https://www.catholicculture.org/culture/library/view.cfm?recnum=4956). Michael Joseph Schuck, *That They Be One: The Social Teaching of the Papal Encyclicals, 1740-1989*. (Washington, D.C: Georgetown University Press, 1991), 58.

each individual with all his rights to the whole community.”32 Thus “each citizen would then be perfectly independent of all the rest and at the same time very dependent on the city.”33 The legislation of the state would be produced by the will of each person thinking in terms of the will of all—the general will. The state had legitimacy because it was derived from the will of the people. In obeying the law, people would only be obeying themselves.34 Rousseau, as Joseph de Maistre wrote not long after the Revolution, viewed all human problems as political problems that could be solved by purely political means.35

And so, according to Rousseau,

…general will, which always tend to the preservation and welfare of the whole and of every part, and which is the source of the laws, constitutes for all the members of the State, in their relations to one another and to it, the rule of what is just or unjust.

And:

Do you want the general will to be accomplished? Make all private wills be in conformity with it. And since virtue is merely this conformity of the private to the general will, in a word, make virtue reign.36

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32 Quoted in Berlin, Freedom and Its Betrayal, 47. Bertram, “Rousseau.” This is even more starkly expressed in Rousseau’s projected constitution for Corsica. Paul Johnson, Intellectuals, 25. “I join myself, body, goods, will and all my powers, to the Corsican nation, granting her ownership of me, of myself and all who depend on me.” C.R. Vaughan, ed., The Political Writings of Jean Jacques Rousseau, vol. 2 (Cambridge: at the University Press, 1915), 250.

33 Rousseau, the Social Contract, quoted in Talmon, Origins of Totalitarian Democracy, 278.

34 Glendon, “Rousseau & the Revolt Against Reason,” 45. As Berlin points out, this understanding of liberty—giving up one’s political and economic liberty in order to be liberated in a deeper sense that only the State or the supreme authority knows—results in a paradox: “the most untrammelled [sic] freedom coincides with the most rigorous and enslaving authority.” Berlin, Freedom and Its Betrayal, 47, 51-52. Rommen argues that Rousseau’s solution—that in obeying the general will, man obey only himself—is no solution at all. Firstly, he says, Rousseau is “utterly wrong” in saying that obeying another is unworthy of a free person. Secondly, obeying the law (political authority) is not a matter of blindly obeying the arbitrary will of another person. Rather, people obey the law “as the order of reason,” the law’s reasonableness as measured by objective measures, including the ideas of justice and “the idea of man.” Rommen, The State in Catholic Thought, 468.

35 De Maistre, quoted in Lebrun, Against Rousseau, xxii. De Maistre argues that this is the case for all philosophers “who endeavor to escape from history.”

It was the job of the legislator and of each citizen to work “incessantly” to constrain others to obey the general will.37 “[W]hoever refuses to obey the general will shall be constrained to do so by the entire body; which means only that one will force him to be free.”38

We should note here that the Legislator is the state, not the representative of the people. Rousseau opposed representative government because of the possibility that representatives might vote on matters that the people had not yet deliberated about.39 Crucial to the success of this project was that there be nothing between the state and the individual. Rousseau rightly saw that group interests—what today we call mediating institutions or voluntary associations—would make complete state control impossible. For Rousseau, “Everything that lacerates social unity is useless.”40

As long as several men in assembly regard themselves as a single body, they have only a single will which is concerned with their common preservation and general well-being. …But when…particular interests begin to make themselves felt and smaller societies to exercise an influence over the larger, the common interest changes and finds opponents: opinion is no longer unanimous; the general will ceases to be the will of all; contradictory views and debates arise; and the best advice is not taken without question.41

Thus, he insisted that citizens should be trained to:

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38 “…ce qui ne signifie autre chose sinon qu’on le forcerà d’etre libre.” *Social Compact* (I, vii, 8) Quoted in Affeldt, *The Force of Freedom*, 300. Bertram, “Rousseau.” George Kateb, “Aspects of Rousseau’s Political Thought,” *Political Science Quarterly* 76, no. 4 (1961): 538. According to Rousseau, “Each man must, therefore, be constrained to live according to his higher self, or to live as though he had a higher self. The constraint may even come from some external source which claims superior insight into the nature and demands of the higher self.”
consider themselves only in their relationship to the Body of the State. For being nothing except by it, they will be nothing except for it. It will have all they have and will be all they are.42

As Peter Gay notes, Rousseau’s “new man” would choose the decision of the general will over any special interest group and would accept an imposed civil religion as a necessary to social cohesion.43 In the last chapter of the *Social Contract*, Rousseau wrote:

> Jesus came in order to set up a spiritual kingdom on earth; thereby the theological system was separated from the political system, and this in turn meant that the state ceased to be one state, and that inherent tensions emerged, which have never since ceased to agitate the Christian peoples.44

Thus, he argued that because a believing Christian was subject to antithetical obligations—having a heavenly citizenship as well as an earthly one—he could not be reconciled into society. Catholicism was unpatriotic because it looked beyond the borders of any one state to the welfare of all of humanity. Finally, he said, the Church encouraged a slave mentality that made men dependent and servile and thus unlikely to resist tyranny.45

**The French Revolution**

The French Revolution exemplified the ideas of Jean Jacques Rousseau—the man acknowledged by the most radical and influential revolutionaries to be their guiding light—and what happens

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43 Gay, Introduction to *The Question of Jean-Jacques Rousseau*, 28. Gay notes the consequence for disobeying the civil religion is exile or death. John Rawls’s theory of the original position makes the same assumption. See Bertram, “Jean Jacques Rousseau.”

44 Quoted in Schönborn, “The Hope of Heaven,” 32.

45 The believing Catholic was *insociable*. Quoted in Schönborn, “The Hope of Heaven,” 32-33. In this view, Christians do not care about earthly conditions or the well-being of society. Although Rousseau was adamant that Christians could not be good citizens, he did think that it was important that citizens believe in God, if only to maintain social order. For this reason, atheists should not be tolerated and, indeed, should be punished. See Levine, *The Politics of Autonomy*, 179.
when those ideas are taken to their logical conclusion. It would be difficult to over-estimate Rousseau’s influence. His ideas about the nature and teachings of Christ and the impossibility of Christians being good citizens had two consequences. They led to the attempt by the state to replace Catholicism with the Cult of Reason and to the state’s violent policies of dechristianization. His ideas about the nature of man led to the Cult of Sensibility and legitimized the Terror. His doctrine of the General Will was used to justify an absolute state.

The new society would require a “new man” who would choose the general will over that of his own. By surrendering his liberty to the General Will, putting it in trust, as it were, “the citizen could truly claim (so the theory ran) that for the first time he governed himself.” If the general will is unerring, it requires no check. Thus, although France’s Declaration of the Rights of Man of 1789 is written in the style of America’s Declaration of Independence, it is not written in the same spirit or with the same intent. As Conor Cruise O’Brien points out, two Rousseau-inspired Articles nullify any likeness to it. Importantly, there is no check on the power of the

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48 Interestingly, Rousseau differed from other moderns in rejecting the Enlightenment idea that human beings are naturally endowed with reason. Rousseau subordinated reason to feelings. In this respect, he is considered a precursor of romanticism. Glendon, “Rousseau & the Revolt Against Reason,”44. Ursula Vogel, “But in a Republic, Men are Needed’: Guarding the Boundaries of Liberty,” in Rousseau and Liberty, ed. Robert Wokler (Manchester and New York: Manchester University Press, 1995), 215.
49 Dawson argues that Rousseau’s appeal to the “irrational forces of sentiment and emotion...taught the Common Man to regard his emotional convictions as infallible truths. ...It was in the name of the religion of natural virtue that Robespierre destroyed his enemies. The Festival of the Supreme Being, of June 1794, when the new religion was solemnly inaugurated, marked at the same time the climax of the Terror.” Christopher Dawson, Religion and Culture, Gifford Lectures. Delivered at the University of Edinburgh in 1947. (Cleveland, Ohio: Meridian Books, The World Publishing Company, 1958), 9.
50 Berlin, Freedom and Its Betrayal, 51-52. Berlin shows (28-53) how Rousseau’s belief that liberty was the essence of man and therefore could not be compromised eventually led to his notion of the two selves and the general will. In short, if a man were true to his “real self” he would want what was wanted by the general will. The General Will was the will of the people and the will of God. It was not necessarily expressed by the decisions of an elected assembly. Charles, Christian Social Witness, 285. Holland, Modern Catholic Social Teaching, 227.
51 Glendon, “Rousseau & the Revolt Against Reason,” 45.
53 There was no common law, as in England, to place limitations on it. Charles, Christian Social Witness, 285-286.
state. On the contrary, Articles 3 and 6 of The Declaration of the Rights of Man provided the legal basis for the Terror that was to come four years later.

None of this was yet obvious in 1789. On the surface, the Church in France was still very much in its golden age. The members of the clergy—including the parish curés—were men from good families who were better educated, more moral and more respected than perhaps ever before. Members of religious orders involved with teaching and nursing were skilled and dedicated. Among the laity, Easter confessions and communion reception were up. As Roger Charles describes it, it was “a complacent church rather than a corrupt one.” The problem was that the Church had become identified with “a discredited regime.”

As Philip Hughes wrote in his classic history of the Church, the Revolution “fell upon the ruling authorities of the Church like a bolt from a summer sky.” Everyone knew that to be French was, after all, to be Catholic. For this reason, revolutionary ideology, Emmet Kennedy

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54 O’Brien, “The Decline and Fall of the French Revolution,” 48. Article 3: “The source of all sovereignty resides essentially in the nation: no group, no individual may exercise authority not emanating expressly therefrom.” Article 6: “Law is the expression of the general will; all citizens have the right to concur [sic] personally, or through their representatives in its formation—it must be the same for all, whether it protects or punishes…” Any person who was deemed to be in opposition to the general will was an outlaw. He placed himself outside of nature and so had no rights. Glendon, “Rousseau & the Revolt Against Reason,” 45.


56 Roger Charles, S.J. But, he adds, it had become identified with “a discredited regime,” Christian Social Witness 284.


writes, made a “cut deep into the tissue of the Church. The ecclesiastical compromises of the 1790s which were intended to maintain the sacraments, ritual, and doctrine, were soon rigorously attacked in the persecution known as de-Christianization.” And with de-Christianization would come the Cult of Reason and the Reign of Terror.

The sense of national unity that was evident at the start of the Revolution was brought to an end by the National Assembly on July 12, 1790, when it passed the Civil Constitution of the Clergy. It forced the clergy to do something that had never been required of them before: to choose between obeying the state and remaining faithful to the Church. “The Civil Constitution of the Clergy broke the bond between the king and his clergy.” Soon the clergy were required to swear an oath of loyalty to the Nation. As McManners points out, this new oath—which did not even mention the Civil Constitution of the Clergy—was “not a promise to accept, to obey, or to refrain from causing trouble to a government: it [was] a proclamation of ideological self-identification, a sort of subscription to, and an admission of, the rightness of a Rousseauistic General Will.”

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59 Kennedy, *A Cultural History,* xxiv


62 McManners, *The French Revolution and the Church,* 65. The oath stated: “I swear to be faithful to the Nation, to maintain with all my power Liberty, Equality, the security of persons and property, and to die, if need be, for the execution of the law.” One third of the lower clergy—numbering 25,000 to 30,000 priests—and three-fourths of the bishops went into exile. Between 1792 and 1795, the number of bishops dropped from 83 to 25. Six of them were executed by guillotine. Burleigh, *Earthly Powers,* 95 and 107, James MacCaffrey, *History of the Catholic Church in the Nineteenth Century (1789-1908),* 2nd edition. 2 vols. (Dublin: M.H. Gill and Son, LTD, 1910), 21, http://www.questia.com/PM.qst?a=o&d=6920157.21. McManners says thirty to forty thousand priests emigrated from France during the Terror (1792-1794). McManners, *The French Revolution and the Church,* 106.
The Reign of Terror

The Reign of Terror began in September 1793, when Robespierre advocated terror as the legal policy of the state. As Lynn Hunt observes, all of the educated men of the eighteenth century knew something of the classics and men like Robespierre and Saint-Just—the latter who was the face of the Terror and would become known as the Angel of Death—“found in them lessons for instituting a new order. [T]hey ‘utopianized’ classical history into the model of a new, innocent society, an ideal Republic.”63 Like the American Founders, Robespierre had read Montesquieu’s *The Spirit of Laws*, and like them he knew that Montesquieu had identified virtue as the spring of democratic governments. Unlike the Americans, however, Robespierre and Saint-Just argued that in times of revolution, a state must combine virtue with terror.64 The Convention concurred and famously declared that terror was “the order of the day.” 65

In 1793 the Jacobins took an action that might at first seem too unimportant to mention at all, especially in the context of the violence and death of the period. They replaced the ancient Gregorian calendar with a new calendar which wiped out any references to saints’ days, holidays—including Christmas and Easter—and Sundays. Like the new metric system, the

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63 Hunt, “The Rhetoric of Revolution in France,” 78-94. Bokenkotter argues that “the ferocity that Robespierre and Saint-Just showed toward the enemies of virtue was the inevitable corollary of their sincere, if fanatical, vision of a coming utopia in which the repressive state has ‘withered away,’ leaving a free society of disinterested citizens to live in harmony and peace.” Bokenkotter, *Church and Revolution*, 28.

64 In his “On the Principles of Political Morality,” Robespierre said: “If virtue be the spring of a popular government in times of peace, the spring of that government during a revolution is virtue combined with terror: virtue, without which terror is destructive; terror, without which virtue is impotent. Terror is only justice prompt, severe and inflexible; it is then an emanation of virtue; it is less a distinct principle than a natural consequence of the general principle of democracy, applied to the most pressing wants of the country ... The government in a revolution is the despotism of liberty against tyranny.” Modern History Sourcebook: Maximilien Robespierre: On the Principles of Political Morality, February 1794, [http://www.fordham.edu/halsall/mod/1794robespierre.asp](http://www.fordham.edu/halsall/mod/1794robespierre.asp). Schema argues that “violence was the motor of the Revolution” from the very beginning, in the summer of 1789. Schama, *Citizens*, 447 and 859. It was not, he says, an “unfortunate side effect from which enlightened Patriots could selectively avert their eyes; it was the Revolution’s source of collective energy. It was what made the Revolution revolutionary.”

65 The convention had replaced the National Assembly in 1792, after what is known as the insurrection of the 10 August.
calendar was based on reason and the number ten. Every tenth day was a day of rest. Replacing the calendar which had set the cycle of the year and the rhythms of life for both French national life and the private lives of its people has been called “the most anti-Christian act of the Revolution.”66 It was part of what Van Kley has called “a cultural assault on Christian time and space.”67

The Influence of France: A Pattern Established

The effects of the French Revolution reached far beyond the borders of France.68 France was the primary influence and acknowledged model for the policies designed and the actions taken by other states that viewed—or view—the Catholic Church as a real threat to its total power.69 And once being for or against the Church became political, anti-Catholicism became

67 Van Kley, “Christianity as Casualty and Chrysalis of Modernity,” 1096-1097. McManners says that it was a gesture designed to separate the new generation from memories of the past. McManners, The French Revolution and the Church, 99, says that the main objective of the new calendar was de-Christianization. Some historians argue that the very act of giving new names to old things—revolutionary discourse—led to an “intoxication of power” and a commitment to change everything—to remold humanity in a new image. Andress, The Terror, 4. Hunt, “The Rhetoric of Revolution in France,” 78-94.
the means of unifying quarreling radical factions.\textsuperscript{70} It was something on which they could agree. \textsuperscript{71} ..........


\textsuperscript{71} The history of relations between the Catholic Church and Europe—extending over centuries—is very complex and I will not attempt here even to summarize it or to unravel its many elements. Neither monarchs nor prelates were always on their best behavior and the causes of various battles (actual and metaphorical) involved issues of royal succession, complicated blood and marriage relationships among monarchs, the quests for and holding of land, wealth, and power, the creation of the nation state, and ideology—including religion. In this chapter I look at events from the perspective of the Catholic Church. Other projects can and do, of course, examine these events from different perspectives. In fairness, I will make mention here to some of the most illustrative events. One might start with the Investiture Controversy (1076-1122) which erupted in Germany when Pope Gregory VII and King Henry IV argued over who had the authority to invest (that is, formally install) the bishops. At issue was the separation of royal and spiritual powers. Later, in England, Henry VIII had, in the 1530s, established himself as head of the Church of England and England’s Act of Supremacy and later Act of Uniformity required the people of England to hold that faith. Other events in England will be noted in Chapter 3. Similarly, in Germany, the Reformation was both a political revolt and a religious movement. It was an opportunity to create a new Germany free from the interference of the prince-bishops and the popes. Thus, Martin Luther added religion to the other elements—rivalries of the many German principalities over trade, ethnicities, and culture—that contributed to the ongoing mini-wars in Germany. Germany’s 30 Years War (1618-1648) was a world war. Cardinal Richelieu had ended the wars of religion in France but perpetuated the 30 Years War in Germany. The French wars of religion (1562-68) involved the uprising of the people of southern France against the northern and western parts of the country. This war was dynastic as well as religious. Adding to the deaths by fighting were those caused by the plague, carried and spread by the military as they traveled the country from battle to battle. Perhaps one of the greatest sources of anti-Catholicism in France was the St. Bartholomew’s Day Massacre (1572) where the ringing of the church bells signaled the start of the brutal attack on unarmed Huguenots, killing at least 3,000 in Paris alone. Meanwhile, there was conflict in the Lowlands (Belgium and the Netherlands) where the Reformation was taking hold in Nether lands, but the mostly-Catholic Belgians remained French- and Catholic-oriented. When Spain took control of the Low Countries, it was fought both by Nether lands (because Spain was Catholic) and by Belgium (because Spain was Spanish). Meanwhile, the Netherlands and Belgium fought each other. These wars were as much about nationalism and politics as they were about religion. Robert Louis Wilken, “Gregory VII and the Politics of the Spirit,” \textit{First Things} (January 1999), https://www.firstthings.com/article/1999/01/003-gregory-vii-andthe-politics-of-the-spirit. Will and Ariel Durant give a good summation of the background of the French Revolution. Will and Ariel Durant, \textit{The Age of Voltaire: A History of Civilization in Western Europe from 1715 to 1756, with Special Emphasis on the Conflict Between Religion and Philosophy}. (New York: Simon and Schuster, 1965), 605-11. William L. Langer, ed. \textit{An Encyclopedia of World History: Ancient, Medieval, and Modern}, 5th ed. (Boston: Houghton Mifflin Company, 1972), 406-08, 411, 414, 477-81. Will and Ariel Durant give examples of Catholic plots against England’s Queen Elizabeth in an attempt to install the Catholic Mary Stuart and bring England back to the Catholic Church. Will and Ariel Durant, \textit{The Age of Reason Begins: A History of European Civilization in the Period of Shakespeare, Bacon, Montaigne, Rembrandt, Galileo, and Descartes: 1558-1648}. (New York: Simon and Schuster, 1961), 127-28. Scott M. Manetsch, “The Saint Bartholomew’s Day Massacre,” \textit{Christian History 71}, \textit{The French Huguenots and the Wars of Religion}, https://www.christianitytoday.com/history/issues/issue-71/saint-bartholomews-day-massacre.html. “Protestantism in the Low Countries,” Project Muse, https://www.museeprotestant.org/en/notice/protestantism-in-the-low-countries/. David Keys, “Belgium’s Great Divide,” \textit{History Extra, The official website for BBC History Magazine and BBC World Histories Magazine}, https://www.historyextra.com/period/belgiums-great-divide/. Matthew E. Bunson, “Reformation Politics: Luther’s Movement of Power and Religion,” \textit{National Catholic Register} (Oct. 24, 2017), http://www.ncregister.com/daily-news/the-politics-of-the-reformation-movement-was-as-much-about-power-as-religio.
Cultural displacement, though less observable, was at least as damaging because it removed the Church from the lives—the daily and seasonal rhythms—of the people. Michael Novak refers to this as cultural ecology, arguing that we cannot help but be affected by the culture in which we live.\(^2\) Mona Ozouf argues that two great teachers of a nation are the school and the festival.\(^3\) Steps were taken to control or remove both them from the influence of the Church.

**The Battle Over Education**

In the aftermath of the Revolution and for years afterward, France sought to control education. Similarly, the school question was the obsession of Belgium in the 1850s.\(^4\) The battle was over the education—especially secondary education—of the children of the rising middle class.\(^5\) Both the liberals and the Catholics, Kossmann says, “devote[d] all their energy and ingenuity to vehement discussions about the type of man which Providence had decided to create.”\(^6\) As Archbishop George Andrew Beck wrote a century later, “every educational system is a reflection of an attitude to, and a philosophy of, life which answers in some form or other the question ‘What is man?’”\(^7\) As Abraham Lincoln may or may not have actually said, the philosophy of the school room in one generation will be the philosophy of government in the next. Thus, Hippolyte Carnot, the French minister of education in 1848, could state, “Let us make new men as well as

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\(^3\) It was for that reason, she says, that in France, Saint-Just established the Revolutionary festival, a transfer of sacrality to social and political values that would bind people together. Mona Ozouf, “The Revolutionary Festival: A Transfer of Sacrality,” in *The French Revolution*, ed. Ronald Schechter (Malden, Massachusetts: Blackwell Publishers, Inc., 2001), 305-320, especially 313 and 320.


\(^5\) Ibid., 235.

\(^6\) Ibid., 234.

\(^7\) George Andrew Beck, “Aims in Education: Neo-Thomism,” in *Aims in Education: The Philosophic Approach*, ed. T.H.B. Hollins (Manchester: Manchester University Press, 1964), 110. No other single theme, Coleman maintains, has been as important in Catholic social thought, as the importance of the family, and the belief in a limited state that recognizes the rights of parents to determine the education of their children. Coleman, “Introduction,” 7.
new institutions."78 In France, as elsewhere, “popular education had become the battleground for contention between church and state.”79

Émile Durkheim had observed the role of education in the transmission of culture and in teaching morality. A.K. C. Ottaway, writing about Durkheim’s sociology of education, says:

Education is not only rather obviously imposed upon the child, but the parents have little choice, and can only with great difficulty bring up their children in a different way from that determined by the collective ideas and opinions of their social milieu.80

In 1864, Pius IX wrote in response to the events of the time, including education.81 He was concerned with the moral use of freedom, especially in regard to justice, and the right of parents to educate their children in their faith without permission from the state.82 Without naming Rousseau, he referenced the error of regarding the “the people’s will” as a material force unlimited by divine or human control.83 Importantly, in *Quanta Cura*, Pius IX claimed that the

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80 Ottaway, “The Educational Sociology of Émile Durkheim,” 214.
81 Charles notes that Pius IX did not have the sources of information that would have let him know that liberalism in the UK and America were compatible with Catholicism. Charles, *Christian Social Witness*, 332-333. In 1860, Pius IX founded the Vatican newspaper *Osservatore Romano* as a means of communicating with Catholics around the world. Holland, *Modern Catholic Social Teaching*, 50.
Church’s mission had public as well as a communal character, an idea that “remains an abiding and fundamental principle at the foundation of Catholic social teaching.”

The First Vatican Council was convened in 1869. Although there were many things that the bishops did not come to agreement on, they did agree that the Church is independent of the nation-states. By the middle of the nineteenth century, one point on which every major Catholic thinker—whether liberal or conservative—agreed was that the Church must disentangle itself from the state and that the Church must be restored to the Gregorian ideal of liberty.

By this time, the Kulturkampf had arrived in Prussia. Although not as violent as the anti-Catholicism in some other times and places, the Kulturkampf—the struggle for civilization or, literally, the “culture struggle”—is probably the best-known example of state efforts to destroy the Catholic Church and replace it with a state-controlled national church. The central feature of the Kulturkampf was the “exclusion of Catholicism from the hegemonial version of national

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84 Holland. Modern Catholic Social Teaching, 96.
85 Russell Hittinger, “Two Thomisms, Two Mondernities,” First Things (June 2008). They also reconfirmed the universality of the Church.
87 No lives were lost. Ross, “The Kulturkampf,” 194-195. The response of Catholics in Germany and Poland was civil disobedience and passive resistance. Burleigh, Earthly Powers, 332. Ross (173ff) argues that the aim of the Kulturkampf was not to destroy the Church, only to limit and control it.
culture."\(^{88}\) The ministry of public worship abolished its Catholic department. The Prussian School Supervision Law (1872) put the control of education exclusively in the hands of the state.\(^{89}\)

The influence of the *Kulturkampf* spread beyond the borders of Prussia, posing a danger to all the Catholic countries of Europe.\(^{90}\) The French, under the minister of education, began their own version in 1879.\(^{91}\) In 1879 what McManners calls the Battle of Education began in earnest.\(^{92}\) The laws of France’s Education Minister Jules Ferry had two goals: to remove the clergy from any positions of influence in state education and to weaken the private school system, a system controlled by the Church.\(^{93}\) It was argued that the Catholic schools were divisive, resulting in two separate groups of French youth, the “*deux jeunesses*.”\(^{94}\) Other states followed suit. The Catholics in Belgium suffered almost as much in the years 1878 to 1884 as the German Catholics did during the *Kulturkampf*.\(^{95}\) The battle, once again, was primarily fought over the school question.\(^{96}\)

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91 Although the *Kulturkampf* in Prussia ended in 1887, what became known as the French *Kulturkampf* continued into the 1890s. Mitchell, *Victors and Vanquished*, 176, 182-183, and 196. Berenson, *Populist Religion and Left-Wing Politics*, 221. For example, state officials become members of examination boards which determined whether students in Catholic universities would be granted a degree.

92 McManners, *The French Revolution and the Church*, 45-54.


Pope Leo XIII

Just when the papal territories were gone for good \(^{97}\) and it appeared that future popes, lacking any temporal rule, would have no platform for operating in the sphere of international politics, the technology of late-nineteenth-century modern media—along with “Europe’s newfound and seemingly boundless appetite for the newspaper”—provided a new pope with a bully pulpit that made it possible for his words to be received around the world in a matter of hours. \(^{98}\) We might call that Providence. And if that is the case, Providence also provided the right pope at the right time. Pope Leo XIII.

The policy of the new pope was, first of all, to teach Catholics how to live as participating citizens in the liberal state. Hughes writes:

It was one of Leo XIII’s greatest merits to have insisted, in season and out of season, to a generation of Catholics inclined to shun all contact with the impious thing in the name of the purity of their faith, that only by living in this new world could the Church, in fact, survive, for to live in that world is the Church’s first duty; only by such living contact can she fulfill her mission to convert it.\(^99\)

At the same time, he set out to teach the liberal state. Hughes continues:

Still more boldly, the pope proposed to teach the Liberal world also—to show the sincere men in it, the Liberals in good faith that is to say—that Catholicism is the best, nay the sole, guarantee of real liberty. Catholic principles this pope will proclaim no less definitely that his predecessors of the older regime; …the witness of history is called in to support the pope’s thesis, how it is in the nature of things—and how all past history witnesses to this—that civilisations [sic] which turn away from God inevitably perish. And Leo XIII, with many a moving anxious warning about the disaster he foresees to be steadily drawing nearer, offers Catholicism to the rulers and the people of the world as their surest guide, their strongest protection. He makes constant appeal to the

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\(^{97}\)The Papal States were no more after 1870 and became part of the state of Italy.


reasonableness of what the Church claims, when he speaks to the world outside; and the
reasonableness of what it commands, when he is addressing Catholics.”

**Rerum Novarum**

The philosopher John Herman Randall, Jr. has observed, “It is very often the best way of
understanding ideas and beliefs to realize what they are reactions against.” And while the
ancient doctrines of the Church were not formed or altered in reaction to a changing society, the
papal encyclicals—particularly what are known as the social encyclicals beginning in 1891 with
Pope Leo XIII’s *Rerum Novarum*—were written to address the pressing problems and
dangers of the modern industrial age. Although one could argue that Catholic social teaching
goes back to the life and words of Jesus, *Rerum Novarum* is considered the Magna Carta of
modern Catholic social thought. Chadwick writes that it was the most important encyclical of
the nineteenth century.

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100 Hughes, *A Popular History*, 257. Chadwick says the pope wanted to present the Church “as a creative force in
modern culture.” Chadwick, *A History of the Popes*, 278.
Present Age*, 50th anniversary ed., with a foreword by Jacques Barzun (New York: Columbia University Press,
1976), 15.
http://w2.vatican.va/content/leo-xiii/en/encyclicals/documents/hf_l-xiii_enc_15051891_rerum-novarum.html.
“Catholicism, Liberalism and Communitarianism: Concluding Reflections,” in *Catholicism, Liberalism, and
Grasso, Gerard V. Bradley, and Robert P. Hunt (Lanham, Md.: Rowan & Littlefield, 1995), 257-258. J. Derek
Oates, 1978), 201. In the thirteen years before *Rerum Novarum*, Leo XIII produced nine major encyclicals on social-
moral issues. Michael J. Schuck, “Early Modern Roman Catholic Social Thought, 1740-1890,” in *Modern Catholics
Georgetown University Press, 2004), 117.
104 Charles notes that although the phrases social doctrine or social teaching are modern, the Church has been
teaching is in the Scriptures—starting with *Genesis*.
105 Pius XI, *Quadragesimo Anno* (Forty Years), Encyclical Letter on Reconstruction of the Social Order,” Vatican
of such import, that—beginning in 1931 with Pius XI’s *Quadragesimo Anno*—succeeding popes have marked its
anniversary every ten years, almost always with an encyclical of their own. During WWII, Pius XII instead
delivered a radio address in 1941.
Often overlooked in *Rerum Novarum*'s principled defense of private property is Leo XIII’s reaffirmation of the Church’s teaching on the nature and the rights of the family, including the right of the head of the household to provide for his family. The family, he wrote, is a society, admittedly a very small society, but one that is older than the State, and one having “rights and duties peculiar to itself which are quite independent of the State.”

The child, he said, “takes its place in civil society, not of its own right, but in its quality as member of the family in which it is born.” In other words, education is the purview of the family, aided by the church. It is a firm principle of Catholicism—cited regularly in virtually every American Catholic school—that parents are the primary educators of their children. As John A. Coleman notes, the family (a unit of the Church) is the nexus of private and public, the Church and the economy and politics.

Referring to the family, Coleman says,

Moreover, no other single theme has so exercised Catholic social thought from its beginnings. This has been expressed in diverse ways such as concern about a limited state which recognized parental rights to determine the education of their children…

The pope’s statement anticipates that of Associate Justice James Clark McReynolds, writing for the majority in *Pierce v. Society of Sisters* (1925): Children, he said, are not “the mere creatures of the state.” The ability of parents to make choices about their children’s education is a liberty, he said, protected by the Fourteenth Amendment.

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107 Leo XIII, *Rerum Novarum*, 12. And further, “the family has at least equal rights with the State in the choice and pursuit of the things needful to its preservation and its just liberty. We say, "at least equal rights"; for, inasmuch as the domestic household is antecedent, as well in idea as in fact, to the gathering of men into a community, the family must necessarily have rights and duties which are prior to those of the community, and founded more immediately in nature.” Leo XIII, *Rerum Novarum*, 13. As John A. Coleman notes, the family (a unit of the Church) is the nexus of private and public, the Church and the economy and politics. Referring to the family, Coleman says, “Moreover, no other single theme has so exercised Catholic social thought from its beginnings. This has been expressed in diverse ways such as concern about a limited state which recognized parental rights to determine the education of their children…” Coleman, “Introduction,” 7.


110 *Pierce v. Society of Sisters*, 268 U.S. 510 (1925). We will come back to this court ruling in Chapter 3.
Leo XIII on the Church in France and the United States

In 1892, Leo XIII wrote to the “Bishops and Faithful of France.” While his letter it is described as launching the *ralliement*, its points are those the pope had made many times before. In the encyclical *Au Milieu Des Sollicitudes*, he once again said that many forms of government are acceptable, depending on historical or national and human circumstances.

Even more important than the type of government, he wrote, is the quality of the men serving in the legislature.

In February of 1892, Leo gave an interview for the Parisian newspaper *Le Petit Journal* in which he compared France and the United States:

> I am of the opinion that all French citizens should unite in supporting the government France has given itself. A republic is a legitimate form of government as any other. Look at the United States of America! There you have a Republic which grows stronger every day — and that in spite of unbridled liberty. And the Catholic Church there? It develops and flourished. It has no quarrel with the State. What is good for the United States can be good for France too.

Anthony Rhodes points out what is usually referred to as the Church’s practice of enculturation.

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111 Leo XIII, *Au Milieu Des Sollicitudes*, 14. “Various political governments have succeeded one another in France during the last century, each having its own distinctive form: the Empire, the Monarchy, and the Republic. By giving one's self up to abstractions, one could at length conclude which is the best of these forms, considered in themselves; and in all truth it may be affirmed that each of them is good, provided it lead straight to its end - that is to say, to the common good for which social authority is constituted; and finally, it may be added that, from a relative point of view, such and such a form of government may be preferable because of being better adapted to the character and customs of such or such a nation. In this order of speculative ideas, Catholics, like all other citizens, are free to prefer one form of government to another precisely because no one of these social forms is, in itself, opposed to the principles of sound reason nor to the maxims of Christian doctrine.” *Au Milieu Des Sollicitudes* (On the Church and State in France). Encyclical Letter of Pope Leo XIII, February 16, 1892.

112 Leo XIII, *Au Milieu Des Sollicitudes*, 22 and 24. The pope used an example from the writings of St. Augustine to illustrate that, as Schuck puts it, “one could reject the Republic’s anticlerical legislation and still accept the government’s constituted power. Schuck, *That They Be One*, 74 and 106 n.77.

113 Anthony Rhodes, *The Power of Rome in the Twentieth Century: The Vatican in the Age of Liberal Democracies, 1870-1922*. (New York: Franklin Watts, 1983), 116. Chadwick notes that the *ralliement* had a force that extended beyond France. “The Pope offered Catholics everywhere, by implication, the chance of assenting to that form of political arrangement which Western Europe and America were coming to think the most moral of constitutions because it safeguarded individual liberty and human rights.” Chadwick, *A History of the Popes*, 300.
Here Leo XIII was only following an established principle of Church policy. Throughout history, the Catholic Church had always adapted itself to whatever form of society prevailed, to serfdom at the opening of the millennium, to feudalism in the Middle Ages, to centralized monarchy after 1600, in modern times to bourgeois capitalism, and in this case to French Republicanism. When the laws of any of these societies are at variance with the tenets of the Catholic faith, the Church does not attempt to destroy society, but to transform it, by continuous internal action.114

The Twentieth Century

“The most astonishing feature of the twentieth century,” Owen Chadwick writes, “was [its] reversion to an age of persecution of Christianity.”115 Anti-Catholicism was the political “sacrament” that served a practical purpose. It unified factions within coalitions. As Chadwick has described it, “clerophobia dissolved other ideological contradictions in a single, ecumenical animus.”116 To be anti-Catholic was to be on the side of progress, however one defined progress.117 The Church was viewed as a rival and thus a threat.118 Again, as had been the case in so many other places, education was the battleground.119 As Mussolini stated in the 1920s, “Education must be ours.”120 We will explore this idea in the American context in Chapters 3 and 5.

114 Rhodes, The Power of Rome, 117. Rhodes continues, “For example, the Church was by no means opposed to serfdom, when that system was the accepted form of society; but the Church continually preached its conception of Christian living within the society, thereby mitigating its more objectionable features.”
115 Chadwick, “Great Britain and Europe,” 366. Atkin and Tallett, write that the Communist take-over in Eastern Europe “inaugurated a systemic assault [on the Catholic Church] not witnessed since the 1870s in Germany and the 1790s in France.” They argue that this attack was more dangerous than the previous ones because it was prosecuted with all the power available only to totalitarian regimes. Atkin and Tallett, Priests, Prelates and People, 327. In all of the post-war Communist states, governments promoted the cooperative “progressive” or “patriotic” factions of clergy and laity. Maclear, Church and State in the Modern Age, 414 and 481-482. Goeckel, “The Catholic Church in East Germany,” 93. Reban, “The Catholic Church in Czechoslovakia,” 144-146. Everywhere in the Eastern bloc there was a decline in the number of priests and, by extension, in religious practice. Except in Poland. In Poland, Catholics held firm. Atkin and Tallett, Priests, Prelates and People, 273.
118 There could only be one worldview, only one weltanschauung. Spicer, Resisting the Third Reich, 5.
120 Atkin and Tallett, Priests, Prelates and People, 218.
A Century of Response: To 1991

John Paul II observed the hundredth anniversary of *Rerum Novarum*, describing his 1991 encyclical, *Centesimus Annus*, as a “rereading” of Leo XIII’s “immortal document.”\(^{121}\) As Schall points out, the concept of rereading reflects the Church’s claim for a basic consistency in its fundamental understanding of man, society and God throughout the ages. What Leo XIII wrote is still valid because of the existence of “certain permanent things.”\(^{122}\) He wrote of the Church’s understanding of the nature of man, “the correct view of the person,” a being “who was created for freedom.”\(^{123}\) The pope warned against the false idea of utopia and the illusion of the possibility of paradise on earth.\(^{124}\) He wrote about the benefits of democracy and warned that a democracy without values results in a dangerous relativism.\(^{125}\) He wrote about the nature of truth as fundamental to a free society and the right of people to know the truth.\(^{126}\) Following Leo XIII, John Paul II spoke of the importance of the family. It is in the family, he wrote, that the


\(^{122}\) Schall, “The Teaching of Centesimus Annus,” 27.

\(^{123}\) John Paul II, *Centesimus Annus*, 11, 15, and 25. “From this point forward it will be necessary to keep in mind that the main thread and, in a certain sense, the guiding principle of Pope Leo's Encyclical, and of all of the Church's social doctrine, is a correct view of the human person and of his unique value, inasmuch as "man ... is the only creature on earth which God willed for itself." (38). “God has imprinted his own image and likeness on man (cf. Gen 1:26), conferring upon him an incomparable dignity, as the Encyclical frequently insists. In effect, beyond the rights which man acquires by his own work, there exist rights which do not correspond to any work he performs, but which flow from his essential dignity as a person.” Brian J. Benestad, “How the Catholic Church Serves the Common Good,” in *The Battle for the Catholic Mind: Catholic Faith and Catholic Intellect in the Work of the Fellowship of Catholic Scholars 1978-95*, ed. William E. May and Kenneth D. Whitehead (South Bend, Indiana: St. Augustine’s Press, 2001), 459.

\(^{124}\) John Paul II, *Centesimus Annus*, 25. Those who propose utopias forget that while man “tends towards good…he is also capable of evil.”

\(^{125}\) Ibid., 46. “Nowadays there is a tendency to claim that agnosticism and skeptical relativism are the philosophy and the basic attitude which correspond to democratic forms of political life. Those who are convinced that they know the truth and firmly adhere to it are considered unreliable from a democratic point of view, since they do not accept that truth is determined by the majority, or that it is subject to variation according to different political trends. It must be observed in this regard that if there is no ultimate truth to guide and direct political activity, then ideas and convictions can easily be manipulated for reasons of power. As history demonstrates, a democracy without values easily turns into open or thinly disguised totalitarianism.”

\(^{126}\) The pope writes that the foundation of every “authentically free political order” is the recognition of the rights of human conscience “which is bound only to the truth, both natural and revealed.” *Centesimus Annus*, 29. If there is no transcendent truth that man owes obedience to, then there is no basis for just relations among persons. (44).
child receives his first formative ideas about truth and goodness, what it means to love and be loved, and learns what it actually means to be a person.” Thus, the family is the “first and fundamental structure for ‘human ecology.’”

After his death, John Paul II was canonized following the requisite two miracles that must be attributed to anyone who is to become an official saint of the Church. But as Shirley observed, neither of those two miracles was his greatest miracle. Rather, it was “the defeat of an ‘Evil Empire’ and the restoration of freedom to millions imprisoned behind the Iron Curtain, including his own native and beloved Poland.” John Paul II is often considered to be responsible—shoulder to shoulder, as it were, with Ronald Reagan and Margaret Thatcher—for the fall of the communism. He came into his papacy speaking the words that he would often repeat, “Be not afraid.” At last, here was an answer to the question that Stalin once famously asked, “How many divisions has the Pope?” At last, here was an answer to the question that

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130 On his visit to Kraków eight months after becoming pope, he told the people to “never lose your trust, do not be defeated, do not be discouraged.” The effect of his visit cannot be overestimated. It resulted in the Polish uprising and ultimately to the collapse of the Soviet Union. A little more than a year after the pope’s visit—and with the help of the Church—Lech Walesa and Solidarity brought about the first free elections in the communist empire.
Joseph Stalin once famously asked while discounting any chance of the Church’s success in its confrontations with Communism, “How many divisions has the Pope?”\(^{131}\)

George Weigel asked, “…Could [John Paul II] help define a new worldly order, one that was built on the foundations of human freedom and human solidarity and yet avoided the utopian (and totalitarian) temptations that had beset the world since Rousseau and his disciples had tried to make all things new through politics?”\(^{132}\)

The Catholic Church in America provided a new model for the relationship between the Church and the state and, eventually, as Pope Leo XIII noted, the Church had more freedom in America’s democracy than anywhere else. Nonetheless, as I will show in Chapter 3, in America, too, the battle was over education. John Courtney Murray, the Jesuit theologian known for his dedication to the “American experiment” and his role at the Second Vatican Council in the writing of the Declaration of Religious Freedom (1965), had also—in the 1950s—made the argument for the public value of Catholic schools. The chapter that follows will examine the history of Catholic education in the United States and the uniqueness of the American Catholic school system.

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\(^{131}\) A division is the basic self-contained fighting unit of an army. For example, currently a heavy infantry division of the U.S. Army has about 15 or 16 thousand men. About two-thirds of them will be infantrymen, tankers and artillerymen. There will also be, amongst other things, helicopter pilots and mechanics, doctors, medical technicians and paramedics, mechanics, military police, cooks, combat engineers, intelligence analysts, truck drivers, supply personnel, veterinarians, armorer, finance staff, a human resources component, public relations staff, lawyers, information technologists, chaplains, training and operations planners, and a command component.

\(^{132}\) Weigel, Preface to *A New Worldly Order*, x.
CHAPTER 3
OF BIAS, BURNINGS AND BISHOPS

The purpose of Catholic schools in America is (and has always been) twofold: to pass on the faith (with Heaven as the ultimate goal) and to teach children to be good American citizens.¹ My aim in this section is not to retell the entire history of Catholic education in America, but only to show how, taken together, the Catholic understanding of both/and, the Catholic principle of community, and the fact of anti-Catholicism figured in the project of educating Catholic Americans.

The eminent historian Arthur Schlesinger, Sr., once told John Tracy Ellis, the also- eminent dean of the historians of American Catholicism, that he regarded prejudice against Roman Catholics to be “the deepest bias in the history of the American people.” As Bryan Le Beau correctly notes, Schlesinger “did not intend to suggest that it was the most violent, though it times it certainly was; or that it was the most consistent, as it tended to wax and wane throughout American history; but rather, that the roots of anti-Catholicism lay buried in the depths of the American consciousness, bearing fruit over time across the American cultural landscape.”²

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More recently, the philosopher Martha Nussbaum wrote that “the long sad history of anti-Catholicism…is the ugliest blot on our national commitment to religious fairness.”³ Thus, it is impossible, as Garnett notes, to discuss the debate over the ability of Catholic schools to promote public values without keeping in mind “the respectable anti-Catholicism of the America’s judicial and intellectual elites” that “has shaped American law and life in deep and abiding ways.” ⁴

**The American context: A question.**

One might reasonably ask why it is that Catholic schools in America promote democracy, while they did not historically do so in other countries. One reason—as I have suggested in Chapters 1 and 2 and will explore further in Chapters 4 and 5—is the compatibility of Catholic thought with America’s founding principles.⁵ Another reason is the facts of American history. Catholics, from the beginning, were coming into and making their way in an often hostile, non-Catholic country. This was an historically unique situation.⁶ And Martin E. Marty notes that while Catholics were

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⁵ Theodore Maynard, an historian of Roman Catholicism in America, observes, “It should be made clear at once that no suggestion will be advanced here that Catholicism is specially adapted to Americans, for it is adapted to all men, being a universal religion. But it is permissible to see a close consonance between Catholicism and the political institutions of the United States.” Theodore Maynard, *The Catholic Church and The American Idea.* (New York: Appleton-Century-Crofts, Inc., 1953), 24.

⁶ Lawrence A. Cremin, *The American Common School: An Historic Conception.* (New York: Teachers College, Columbia University, 1951), 21-23. The historian Paula A. Fass writes that Catholic education, when it is studied at all, is usually regarded as a part of a subspecialty. This, she argues, is a mistake. “…American education in the
also embattled in Europe, anti-Catholicism in America was different. In America, anti-Catholics “conveniently portrayed the church as a juggernaut poised to crush the United States.”

America’s Catholic school system—the largest private educational enterprise in history—is unique in the world for two reasons. One is the fact that it exists completely separated from the public school, and second is the circumstances that led to its creation. The Catholic school system came about in response to “the singular challenge of being Catholic and American” and the tension between separation and integration. The Catholic school represents the traditional Catholic belief that the Catholic Church and the parents share together the primary right to educate their children.

The Colonial Era

-twentieth century—and specifically the education of outsiders—is simply incomprehensible, or in the very least incompletely rendered, without an understanding of how Catholic schools have operated within American culture alongside the public schools. Paula A. Fass, Outside In: Minorities and the Transformation of American Education. (New York: Oxford University Press, 1989), 8.


11 Although Catholic education in America includes the early work of the French and the Spaniards in what would become the American South and West, our discussion of Catholic education in the colonial era will be limited to what transpired in the 13 English colonies that would form the new nation.
Anti-Catholicism existed in America even before the Catholic Church in America came into existence. It arrived with the English colonists at Jamestown in 1607 and “was vigilantly cultivated” in all thirteen colonies. Prejudice against Catholics was “entrenched in culture and traditions, was written into colonial charters, and was reflected in American laws.”

New Englanders were brought up on John Foxe’s *Actes [sic] and Monuments*, first published in England in 1563. Known as *The Book of Martyrs*, it was a best-seller and remained, for many years, the most popular work in church history, instilling hatred of Catholics while telling the story of English Protestant martyrs. The *New England Primer* instilled hatred of Catholics while teaching children to read.


13 Martin E. Marty, *Religion, Awakening and Revolution*. (Wilmington, N.C.: A Consortium Book, 1977), 26. Marty, *Pilgrims in Their Own Land*, 40 and 134. In England—and in the English colonies—religious liberty meant the Protestant religion. By law, the Church of England was established as a Protestant state church. As McIntire points out, England has broken from the papacy three times: "under Henry VIII against Rome, with Elizabeth against ‘bloody’ Mary, and with William and Mary against James II.” As Brown notes, “History taught Protestant colonials that the Catholic Church used violence against enemies and nonbelievers and that its support for absolutism made it inimical to political freedom and individual rights.” The anti-Catholic tradition was fueled by the persecutions of Mary Tudor (known as Bloody Mary for having put nearly 300 Protestants to death—the Protestant Martyrs) in the 1550s. Adding to this feeling was the threatened invasion of the Spanish Armada (the ships of Catholic Spain), the Gunpowder Plot (1605). The defeat of the Spanish Armada was seen as deliverance from “Popery and slavery.” The thwarting of the Gunpowder Plot to blow up the houses of Parliament (planned chiefly by Jesuit priests and Catholic gentry) was celebrated each November 5 (including the hanging of the pope in effigy) in England as well as in America until after the American Revolution. St. Bartholomew’s Day was used as evidence of the Catholic tendency towards violence. Anti-Catholic sermons and histories kept these memories alive in the American colonies. Hitchens argues that even four hundred years later, the memory of Bloody Mary was the reason that “many English people equated popery with tyranny and foreign autocracy.” Gayle K. Brown, “The Impact of the Colonial Anti-Catholic Tradition on the Canadian Campaign, 1775-1776,” *Journal of Church & State* 35, no. 3 (1993): 559-60. McIntire, *England Against the Papacy*, 38. Peter Hitchens, “Latimer and Ridley Are Forgotten: A Protestant Understanding of England’s Martyrs,” *First Things* (June 2018), https://www.firstthings.com/article/2018/06/latimer-and-ridley-are-forgotten.

Anti-Catholic feelings were further fueled by the French and Indian War and by colonial wars against Catholic France, when, between 1688 and 1748, Great Britain and France had fought over control of the continent. In the colonial era, and even after the Declaration of Independence, Catholics were despised, mistrusted, legally inhibited, and regarded as aliens.

The Maryland Tradition

Cecil Calvert, Second Lord of Baltimore, founded Maryland in 1632. Calvert’s charter gave him permission to establish churches and chapels. He invited the Jesuits, who arrived with the Maryland colonists on two ships, the Ark and the Dove, in 1634. It would be another 20 years before clergy of the Church of England arrived in America. Maryland was the first colony to tolerate all Christians, guaranteeing, in the Toleration Act of 1679, freedom of religion and “the free exercise thereof”—language that would be copied in the First Amendment in 1790.


His father, George Calvert, had received a royal charter from King Charles I and the colony was named after the king’s wife, Henrietta Maria.

Carey, Catholics in America, 10-11. The Jesuits had plantations, which were their source of income and provided separation from the government of the colony. The plantations were also the center of liturgical life during the 17th and 18th centuries, although the Jesuits also traveled to Catholic communities in Pennsylvania and served German and Irish immigrants there, as well as Catholics who had migrated from Maryland to Pennsylvania. The Jesuits attempted to start schools during this period but were not successful due to lack of resources and the penal laws.

became known as the Maryland Tradition and has since that time been offered as evidence that the Catholic Church was compatible with democratic institutions.²⁰

In 1654, tolerance ended when Protestants took over the colony by force. After England’s Glorious Revolution of 1689, the situation for Catholics became even worse and they were excluded by law from rights of citizenship and participation in public life. The penal law forbade any Catholics from immigrating to Maryland and the Catholics already in the colony could not worship publicly.²¹ Beginning in 1704, Catholic priests who engaged in any public activities were subject to imprisonment and banishment.²² In fact, Maryland’s penal laws against Catholics were more severe than those in any other colony.²³

Nevertheless, Catholicism endured in Maryland, in part because—although few in number—the Catholics were quite prosperous. Because they were forbidden by law to participate in political life, they focused instead on economic pursuits. One prominent family was that of Charles Carroll, the grandfather of Charles Carroll of Carrollton. For many nineteenth-century Catholics, Charles Carroll was the symbol of the compatibility of American and Catholic identities.²⁴

When the British Parliament, with the Quebec Act of 1774, reestablished Catholicism in Canada, the immediate response of the First Continental Congress was to write a letter to King George III denouncing Catholicism. The Catholic religion, they said, was dangerous to

²¹ Marty, Pilgrims in Their Own Land, 144. Carey, Catholics in America, 13. In 1702, the Church of England became the established church in Maryland and Catholics were disenfranchised in 1728.
²² Marty, Religion, Awakening and Revolution, 27.
²³ Nuess, “Social Thought among Catholics,” 45-47.
²⁴ Carey, Catholics in America, 15.
Protestants and to “the civil rights and liberty of all Americans.” 25 Anti-Catholic and anti-papal rhetoric continued in the lead-up to the war.26 Samuel Adams said that there was more to be dreaded from popery in America, than from the Stamp Act.27

**John Carroll and the First Schools**

After the Revolution, John Carroll observed that the War of Independence was not the most dramatic Revolution of the day. Writing in 1783, he said, “In the United States our religious system has undergone a revolution, if possible, more extraordinary than our political one.”28 In 1789, the same year George Washington was inaugurated, Pope Pius VI established the Diocese of Baltimore and John Carroll was appointed the first bishop.29 It was Carroll who was most responsible for the institutionalization of American Catholicism. In the first year of his appointment, he founded Georgetown Academy for the education of the clergy and the laity.30 Bishop Carroll’s first major pastoral letter in 1792 was devoted primarily to education. Carroll saw that education was the necessary foundation for the success of the fledging Church in America and he saw to the establishment of schools at all levels—academies and colleges

25 Newspapers in the colonies reported that masses of Canadian Catholics were preparing to execute “a hellish plan” against the people of Boston.” Marty, *Pilgrims in Their Own Land*, 143. Carey, *Catholics in America*, 14.
27 Marty, *Pilgrims in Their Own Land*, 141. Adams chastised the townspeople of Charlestown, near Boston, for not being sufficiently alert against popery, although the town did not have even a single Catholic.
Holmes says that, although the experiences of John Carroll and the Catholic Church in America showed that Roman Catholicism and democratic republicanism were compatible, the American Revolution made little impact on the European ecclesiastics until many years later. Holmes, *The Triumph of the Holy See*, 2.
29 Maynard make the interesting observation that if the Jesuits had not been suppressed, John Carroll most likely would not have returned to America in 1774 and been in place to organize the Church. At the time, there were only 24 priests in the country, most of them old and infirm, and not up to such an enormous undertaking. Theodore Maynard, *Great Catholics in American History*, Garden City, New York: Hanover House, 1957, 67.
30 Carey, *Catholics in America*, 17-24. St. Mary’s Seminary was founded in 1791 by the religious order of Sulpicians, who had fled to America from The Terror in France. A companion college for the education of both Catholic and Protestant laymen was also established. The years 1776 to 1815 saw the arrival of many clergy from France to attend the new American seminaries. Black and white lay Catholics had also arrived in America in the 1790s, fleeing the French Revolution.
(including the education of women) and seminaries to train the clergy. As Appleby notes, “Each of these without exception implies Catholic interaction with the cultural and political environment of the United States.”

Carroll was the first in a long line of bishops, and even parish priests, who sought to bring women’s religious orders to America to teach. Although the first Catholic elementary schools were started by lay men and women, soon Catholic school teachers were virtually all nuns. Staffing the schools with teaching nuns also was in keeping with what was the widely-held view of the time (among Christians generally) of education as the domain of the Church.

Through the first part of the eighteenth century, the line between public and private schools was porous. All schools were religious schools and the small Catholic population blended in. Educational institutions were scarce and Catholic schools were generally seen as providing an important resource to the community.

The 1800s: The Immigrant Church

The mid- and late-nineteenth century combined all the elements necessary for combustion: waves of non-English-speaking, poor, Catholic immigrants; fierce nativism and the

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32 Carroll even obtained special permission for the cloistered Carmelites—in the 1790s the only nuns in America—to teach in the schools. Appleby et al, Creative Fidelity, 56.
33 Appleby et al, Creative Fidelity, 57. Carey finds that in the 1780s, there were no nuns in the original 13 states. In 1850, there were 1,344 nuns in the United States. Carey, Catholics in America, 22. Drinan, “Tax Support for Religious Schools,” 89.
35 Ellis notes that massive immigration “was one of the principal determining elements in the character of American Catholicism.” Other churches had immigrants, too—the Lutherans had the German immigrants and the Presbyterians the Scots-Irish—but nothing like the wave after wave of Catholics. He adds, “They kept coming in such numbers that they soon completely overshadowed the native Catholics and gave to the Church a foreign coloring. … Willy-nilly the American Church had become catholic in the broadest sense.” Ellis, American Catholicism, 50-51.
Know Nothings; and the School Problem. And combustion did occur, sometimes literally in the burning of churches, convents, and homes. Between 1815 and 1845, about a million Irish immigrants came to America. In addition to the Irish were the Germans escaping the *Kulturkampf*, as explained in Chapter two. The Irish settled around the Catholic churches in the cities, while many of the Germans settled in the Midwest.36

The non-English-speaking Catholic immigrants understood—as had the anti-Catholic forces in Europe—the relationship between religion and culture. One way to preserve their faith in a hostile environment was to preserve their language and customs.37 The public school, in its attempt to Americanize the immigrant children, was seen not only as the enemy of the faith, but enemy of the entire culture and tradition of the ethnic groups.38 Greeley argues, counterintuitively, that keeping their cultural identity in fact helped to Americanize ethnic immigrants. There is substantial evidence, he says, that the strong values of the community, the home, and the family was not a barrier, but an aid to success in America.39 The clubs, sodalities, and associations of the ethnic parishes were not only a refuge for immigrants and preservers of the faith. They also provided the experiences and skills that made immigrants active citizens and voters.40

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37 Appleby et al, *Creative Fidelity*, 57.
39 Ibid.
The Catholic school became the primary symbol of the immigrant church, reflecting, as Carey notes, both Catholic and American values, and serving the purposes of both.\textsuperscript{41} The schools were an important part of a community that functioned at once both as a fortress against anti-Catholic and anti-immigrant forces and as a bridge to entering American society as a good citizen.\textsuperscript{42} .........

The antebellum years were the “high-water mark” of anti-Catholicism, in terms of “the intensity of hostility towards Catholics, violence to their persons and destruction of their property.”\textsuperscript{43} Alarms were raised against the Catholic menace. Nativism resurfaced and with it, the Know Nothing political movement.\textsuperscript{44} The leading intellectual lights warned that the international Catholic Church posed a danger to the nation in its attempt to establish its own hospitals, orphanages, and—most especially—its own schools.\textsuperscript{45} Between 1800 and 1860, more than 600 anti-Catholic books, tracts, and novels had been published by Protestant missionary groups.\textsuperscript{46} In 1854, the prominent Unitarian theologian Theodore Parker stated that the Roman Catholic Church is “the foe of all progress; it is deadly to Democracy.”\textsuperscript{47} Carey says that “Catholic life in this period cannot be understood outside the context of” what has been called \textit{The Protestant

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\textsuperscript{41} Carey, \textit{Catholics in America}, 53. Doyle, “Religion in the Schools (II),” \textit{America} (September 13, 2010).
\textsuperscript{44} Carey, \textit{Catholics in America}, 31. Abraham Lincoln wrote to his good friend Joshua F. Speed in 1855, “As a nation we began by declaring that ‘all men are created equal.’ We now practically read it as ‘all men are created equal, except negroes.’ When the Know-Nothings get control, it will read, ‘all men are created equal, except negroes, foreigners, and Catholics.’” Abraham Lincoln, “To Joshua F. Speed,” Ray P. Basler, ed. \textit{The Collected Works of Abraham Lincoln} (New Brunswick, New Jersey: Rutgers University Press, 1953), 2:323.
\textsuperscript{45} McGreevy, \textit{Catholicism and American Freedom}, 100.
\textsuperscript{46} Kenny, "A Prejudice that Rarely Utters Its Name," 639.
\textsuperscript{47} Quoted in McGreevy, \textit{Catholicism and American Freedom}, 34.
\end{flushright}
Crusade, a crusade that was “verbal, militant, and organized.” On an August night in 1834, the Ursuline convent, in Charlestown, Massachusetts, just across the Charles River from Boston, was looted and burned by a mob numbering about one thousand, while firefighters stood silently by. The arsonists would be acquitted of all charges.

In the fall of 1834, Samuel F.B. Morse published a series of articles in the anti-Catholic New York Observer entitled “A Foreign Conspiracy against the Liberties of the United States.” In what some consider the critical moment for the development of the anti-Catholic movement, Morse claimed that the recently-restored Jesuits were plotting, at the direction of the pope, to have great numbers of Catholics invade the country to oppose the liberties of American Protestants. Le Beau says that those who worried about the spread of Catholic schools to the west believed that Rome's best chance at undermining the republic was by “shaping the minds that would someday govern it.” That is, by building schools.

Bishop John Hughes and Orestes Brownson

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49 James L. Heft, S.M. Catholic High Schools: Facing the New Realities. (Oxford: Oxford University Press, 2011), 19. The Ursulines were forced to return to safety in Canada. Kenny, "A Prejudice that Rarely Utters Its Name," 639. Marty, Pilgrims in Their Own Land, 274-275. The alert reader will have noted that this is the same town where, although no Catholics resided there, Samuel Adams had criticized its citizens for not being vigilant enough against them. Not coincidentally, the fire occurred less than 24 hours after an anti-Catholic sermon by the very prominent Protestant minister, Reverend Lyman Beecher. His position as an educator gave his warnings extra weight. He noted the increasing number of Catholic schools in the East and said that building Catholic schools in the West (that is, the Mississippi Valley) would lead to the Church’s domination of the entire country. Le Beau, "Saving the West from the Pope," 107-108. Heft, Catholic High Schools, 19.
50 Heft, Catholic High Schools, 19. Le Beau, "Saving the West from the Pope," 107-108. Cremin, The American Common School, 23. From Beecher’s Plea for the West, (1835), quoted in Marty, Pilgrims in Their Own Land, 273. In 1814, Pope Pius VII restored the Jesuit order, forty-one years after it had been dissolved. This added to the paranoia in America. There was at least one report said that the Jesuits were prowling around the country “in every possible disguise.” Marty, Pilgrims in Their Own Land, 273. Roy, Rhetorical Campaigns, 2.
51 Le Beau, "Saving the West from the Pope,"109.
Bishop "Dagger" John Hughes is well known for taking on the Public School Society in New York, arguing for a fair share of public funding for Catholic schools. The public schools, he said, were in fact Protestant schools that were attempting to convert Catholic children. The tone and content of the school textbooks were anti-Catholic and anti-immigrant. When it became obvious that no agreement could be reached, the movement for creating a system of Catholic parish schools was underway. Hughes, more than any single individual, articulated the viewpoint of most Catholics on this issue. His famous dictum, "to build the schoolhouse first and the church afterwards," was a testament to the importance of Catholic schools in the life of the Church.

Another important figure at the time—although perhaps less known today—was the public intellectual, friend of Abraham Lincoln, and eventually Catholic convert, Orestes Brownson. Brownson was a great patriot who insisted that only the Catholic religion could guarantee the success of the American republic. But Brownson questioned the wisdom of building separate

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52 The symbol that preceded "John" in his signature could be taken to be a cross (part of his episcopal signature) or as a dagger. In either case, there is no doubt that Archbishop Hughes relished a fight and gave as good as he got. Richard Shaw, Dagger John: The Unquiet Life and Times of Archbishop John Hughes. (New York: Paulist Press, 1977), 182 and generally.


54 Anti-Catholicism was prominent in readers, history books, and geography books. Only the math textbooks were free of bias against Catholics. Shaw, Dagger John, 141-142. Jon Gjerde, Catholicism and the Shaping of Nineteenth-Century America, ed. S. Deborah Kang. (Cambridge: Cambridge University Press, 2012), ix.

55 Smith, "The Fundamental Church-State Tradition," 293.

56 Shaw, Dagger John, 174. Shaw gives an excellent description of the battle Hughes undertook and how it served all immigrants, not only Catholics. Chapter 14 generally.

57 Brownson was an activist, preacher, abolitionist, and labor organizer, as well as a prolific writer. Before becoming Catholic in 1844, he had been a Calvinist minister, then a Unitarian, then a Universalist, then a Transcendentalist. McGreevy, Catholicism and American Freedom, 66.

58 Brownson said that the ideas stated in the Declaration of Independence were based, not on Lockean or Jeffersonian principles, but rather on the philosophy of St. Thomas Aquinas. The Founders' ideas were based on the Catholic Western tradition. Liberty and authority, he said were not opposed to each other. He disagreed with the idea of the social contract and that society is merely voluntary association. Man was created as a social and political being and it followed that an ordered society is "necessary and essential condition of his life, his progress, and the completion of his existence." Orestes Augustus Brownson, The American Republic: Its Constitution, Tendencies, and Destiny. (Washington, D.C.: Regnery Pub., 2003), 11. McGreevy, Catholicism and American Freedom, 45.
Catholic schools. It seemed possible that such schools would slow the process of assimilation or—in the word coined by Brownson—Americanization. Brownson argued that it was possible—and necessary—that immigrant Catholics become Americans without becoming Protestant.

Elwyn A. Smith makes the interesting argument that from the time of the Hughes and Brownson era, the American Catholic understanding of church-state relations has been intimately tied to the education issue. The outcome of the school war, Smith says, would “define America and the specific role of religion in society.” Smith argues that, for Catholics, the right to conduct their own schools became a test of religious liberty. In other words, he says, more than anything else, the best test of religious liberty was the liberty to educate. Managing their own schools was “essential to the public weal” and the efforts to force children to attend Protestantizing public schools violated the Constitution. Thus, in Bishop Hughes’s New York, the Catholics said that they were requesting their share of the school fund not as Catholics, but as citizens. Bishop Martin Spaulding, arguing that the separation of church and state was essential, said, “There is no other institution than the Catholic Church which has the power to prevent the state from again absorbing the individual and destroying all civil and political liberty.”

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59 McGreevy, Catholicism and American Freedom, 45.
61 Carey, Catholics in America, 37.
62 Smith, ”The Fundamental Church-State Tradition,” 499. Gjerde argues similarly that Catholicism was fundamental in the shaping of America, in part because it was the test of how the matter of difference would—or would not—be resolved. Gjerde, Catholicism and the Shaping, 12. Greeley makes a similar argument. An Ugly Little Secret, 78-79.
63 Cremin, The American Common School, 166. Appleby et al, Creative Fidelity, 57. Gjerde, Catholicism and the Shaping, 144.
64 Smith, ”The Fundamental Church-State Tradition,” 499.
Catholics, however, the Catholic schools, by maintaining a subculture loyal to the pope, were part of the plot to destroy American freedom.  

**The Common School and What It Wrought**

Theodore Parker claimed that the common school system was “the most original thing which America has produced.” Common schools were considered one of the “pillars of the republic.” For many Americans, it has been argued, the public school became the nation’s church. The stated purpose—probably best articulated by Horace Mann—for establishing public common schools was to produce better citizens and assimilate immigrants into the norms of American democratic life. Critics of the common school detected a not-so-noble side of the project. What Mann and his supporters billed as moral education, Catholics saw as an attempt to indoctrinate children to Protestantism. Catholics and other critics also saw the common school as a usurpation of the rights of parents to educate their children as they saw fit.

At the same time, stories of Catholic children in public schools being ridiculed for their faith and being expelled because they stayed home from school on holy days were widely reported. In

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66 McGreevy, Catholicism and American Freedom, 38.
70 Mann said, “When Protestantism arose, freedom of opinion for each, and tolerance for all, were the elements that gave it vitality and strength. The avowed doctrine of Catholicism was, that men could not think for themselves…” Quoted in John T. McGreevy, Catholicism and American Freedom, 39.
what is known as the Elliot School Rebellion of 1859, 10-year-old Thomas Whall, upon refusing to recite the Protestant version of the Ten Commandments, had his hands beaten with a cane by the school’s assistant principal, Lauren Cooke, for half an hour, until they bled. In the days that followed, up to 300 Catholic boys were sent home from school for also refusing. The Whall family sued. Mr. Cooke’s attorney stated that, “America can never be Catholic.” The judge said that refusing to recite the Protestant version of the Ten Commandments “threatened the stability of the public schools, ‘the granite foundation on which our republican form of government rests.’”73 In New York and Philadelphia riots followed any concessions by officials that allowed Catholic students to read from the Catholic Bible.74 Some cities, like Cincinnati, removed the Bible from public schools, arguing that by secularizing the schools, Catholic students were then more likely to enroll, thus reducing “the papist threat.”75


74 There were bloody riots in New York in 1842 in response to the Maclay Act. Le Beau, "Saving the West from the Pope," 108. Cremin, *The American Common School*, 160-175. In three nights of rioting, nativists burned the seminary, and more than 30 homes in an Irish neighborhood of Philadelphia, leaving 13 dead and 50 wounded. None of the arsonists were held accountable. Marty, *Pilgrims in Their Own Land*, 275. Le Beau, "Saving the West from the Pope,"108. Roy, *Rhetorical Campaigns*, 4. By the 1840s, it was not uncommon for Catholic dioceses to hire armed guards to protect the churches. It is telling that buildings owned by the Catholic Church were not insurable unless they were built of non-flammable materials. Roy, *Rhetorical Campaigns*, 3. In New York, violence against the Catholics was planned as a follow-up to the events in Philadelphia. But Bishop Hughes put the kibosh on those plans, announcing that if even one Catholic church were burned, the city would lie ruined like Moscow. Because New York law did not require the city to pay for damaged churches, Hughes stationed armed men around the churches until the situation settled down. Marty, *Pilgrims in Their Own Land*, 275.

People on both sides of the school problem in the United States were aware of the battle of the schools taking place at the same time in Europe (and soon after, in Latin America), a fight over religion and education.76 It hardened opposition to Catholic schools.77 On the Catholic side, Catholic schools became even more important. The American Catholic bishops were also watching the situation in Europe. When they met at the First Plenary Council in Baltimore, in 1852, they warned against “those who would persuade you that religion can be separated from secular instruction.”78

**Schools in the East and the West: Some Differences**

Often neglected in the history of Catholic education in America is the period before the immigration of the mid-nineteenth century and outside of urban areas.79 In the East, Catholics were fighting the established Protestant school culture, coming into cities that already existed. But in the West, Catholics arrived before or at the same time as Protestant settlers and Catholic schools were welcome as major contributors to the community.80 Often Catholic schools were

76 McGreevy quotes a Catholic writing in 1850, that the battle over religion and education is “the fierce contest in Ireland; the same in France; the same in Belgium; the same in Prussia and the petty States of Germany; the same in Bavaria, the same in Austria; the same in the Piedmont….“ McGreevy, *Catholicism and American Freedom*, 37.


78 Reports of the school battles in Europe were carried in the Catholic press in the United States. Gleason et al, “Baltimore III,” 291-293.

79 A notable exception is James A. Burns, *The Principles, Origin, and Establishment of the Catholic School System in the United States*. Marty adds that it was not only the Catholic schools that were welcome in the West. So were Catholic charitable institutions and hospitals. Martin E. Marty, *Pilgrims in Their Own Land*, 273. Carey, *Catholics in America*, 33. By 1840, there were at least 200 Catholic parochial schools, half of them west of the Alleghenies. Ellis, *American Catholicism*, 56. The Catholic elementary school, where I taught for many years, was established in 1832 by seven German immigrant families. St. Joseph School, in Randolph, Ohio, is believed to be the first English-speaking Catholic school west of the Alleghenies.

80 Depending on the demographics, where there were towns inhabited almost completely by an ethnic group, the local public school might very well be a Catholic school. In some places, local arrangements allowed for priests and nuns in religious garb to teach in public schools; in other places, the local school board paid the salaries of the Catholic school teachers, except the portion paid for religion instruction which took place before or after regular school hours. In short, some Catholic clergy in some places were able to reach compromises or informal ad hoc arrangements with the local public school officials. But by 1900 most of these attempts had failed, due in part to court decisions drawing a firmer line between church and state.
the only schools available. Gjerde looks at this as a larger issue than schooling. The immigrants in the west—what we would now refer to as the Midwest—developed, he says, a “complementary identity.” They identified with both their ethnic group and the nation. These two identities reinforced each other, he argues, because life in the United States allowed immigrants to retain the beliefs that they had carried with them to America. Thus, they could have allegiance to both American citizenship and their ethnic traditions.

The Late 19th Century

After the Civil War, nativism was not as virulent, but the “school question” was raised again. In response, at the Second Plenary Council of 1866, the bishops urged the development of Catholic schools. In 1875, James G. Blaine, a Maine Republican serving in the U.S. House of Representatives, proposed an amendment to the U.S. Constitution. The stated intent of the amendment was to prevent public money to be used for religious purposes, but it was and still is widely recognized as an anti-Catholic measure. The idea failed in Congress—by one vote—

81 Carey, *Catholics in America*, 36. Even in New England, up until the 1840s, states supported two kinds of public schools—Protestant schools and what were euphemistically called “Irish schools.” Both schools included religious devotions and Bible reading, but the Protestant schools used the King James version of the Bible while the Catholics used the Douay version. But around 1840, as nativism was on the rise, the state legislatures began defunding the “Irish schools.” Doyle, “Religion in the Schools (II),” 91-92. The work of James Burns on the origins and growth of the American Catholic schools offers many examples the variety of ways in which Catholics schools developed. Burns, *The Principles, Origin, and Establishment*.

82 Although Gjerde puts this in the framework of Catholicism in the West, it seems to me that it could apply equally to the East. Gjerde, *Minds of the West*, 8. Quoted in Gjerde, *Catholicism and the Shaping*, x-xi. Gjerde notes that Protestants hoped that America’s religious freedoms would make it easier to convert Catholics.


84 Hunt, “The History of Catholic Schools in the United States,” 36. Stephanie Slade, “The Fight for Religious Liberty Is Never Going to End. We’d Better Get Used to It,” *America*, (February 15, 2017). Justice Clarence Thomas wrote in *Mitchell v. Helms*, a 2000 Supreme Court case on school vouchers, that “… it was an open secret that ‘sectarian’ was code for ‘Catholic.’” Doyle argues that the passage of the Blaine Amendments shows two things: that anti-Catholicism could be openly discussed; and that public funding of religious schools was constitutional unless there was an amendment forbidding it. Denis P. Doyle, *The Schools We Want, the Schools We Deserve: American Education in Retrospect and Prospect*. (Bloomington, Indiana: Phi Delta Kappa Education Foundation, 2000), 13. Doyle, “Religion in the Schools (II),” 92.
but what are called the Baby Blaines were passed by many state legislatures. They remain on the
books and are used today to block school voucher programs. 85

The Third Plenary Council of Baltimore, 1884

It became obvious that no compromise would be reached with public school authorities in the
matters of the treatment of Catholic children, the anti-Catholic textbooks, or the charges of
disloyalty. As a result, when 71 Catholic bishops met for the Third Plenary Council of Baltimore,
they said that a parochial school should be erected in each parish and that it should be maintained
forever. 86 The future of Catholicity in America, they saw, would be determined by the parish
schools. 87 By 1895, the mostly-working-class Catholic population had built 4,000 schools. 88

The bishops believed, as Bishop Spaulding later put it, that those who disagreed about the “the
fundamental questions of thought,” necessarily disagreed also about education. Different
understandings of the meaning and purpose of life result in different approaches to education and
the bishops saw fundamental differences between the Catholic and the secular view. 89 Further,

Amendment would prohibit public money to be used for sectarian schools, defined as schools not under public
control. However, public schools could continue to read the King James Bible and teach Protestant ideas  because
they were under public control. Also, Philip Hamburger, “Prejudice and the Blaine Amendments,” First Things
(June 20, 2017).
Education Association, 1997), 8. Appleby et al, Creative Fidelity, 84. The increasing number of religious vocations
at that time were seen by some people as a sign of Divine Providence to build Catholic schools. Jacobs,
“Contributions of Religious to U.S. Catholic Schooling,” 85. Another purpose of the Council was to reaffirm the
88 McGreevy, Catholicism and American Freedom, 115. Depending on local circumstances, Catholic schools grew
at different rates. The schools were more important, for instance, to the Germans in the Midwest than they were to
the Irish who were settled in the east. And, depending on location and personnel, there were variations within the
the Catholic Instruction of Youth, Chapter I: On Catholic Schools, Especially Parish Schools, § 1: On their absolute
necessity, 194, quoted in Appleby et al, Creative Fidelity, 83. The bishops acknowledged that there might be
circumstances that would prevent parents from sending their children to a Catholic school. See also Richard Pring,
“Markets, Education and Catholic Schools,” in The Contemporary Catholic School: Context, Identity and Diversity,
the bishops believed that Protestantism would eventually be removed from the public schools and replaced by irreligion. Thus, it was left to the Council “to vindicate the dignity of human reason against the agnosticism of the latter-day descendants of the *philosophes*.”

There was some disagreement among the American bishops on the matter of Catholic schools. Some, like Archbishop John Ireland, held a view close to Brownson’s, that Catholic schools might make participation in the larger culture more difficult. The majority, however, argued that the anti-Catholicism of the public schools made compromise impossible and agreed with Bishop McQuaid of Rochester. Catholic schools, McQuaid said, were the walls necessary to “protect children from the wolves of the world.” By 1892, the majority prevailed.

1900s

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91 Catholics were not alone in their concern about the secularization of schools. Gleason et al, “Baltimore III,” 278 and 289.
On June 29, 1908, just 416 years after the Catholic Christopher Columbus discovered America, Pope Pius X declared that the church in America was no longer a missionary territory.94

The period from about 1910 to the end of World War I saw a resurgence in virulent anti-Catholicism. All sorts of print media, but most especially the newspapers, warned their readers to arouse from their slumbers and be alert to the danger Catholics posed to the republic.95

Nordstrom’s research indicates that while “[w]arnings of Catholic depravity, deception, and rebellion have found resonance within nearly every episode of American history,” it received its greatest circulation during the Progressive Era.96 Progressive educators shared these views. Ellwood P. Cubberley was an influential voice in education at a time when education was becoming professionalized. He was not only a public speaker, he was a professor of future teachers. In 1909, Cubberley stated that the immigrants from southern and eastern Europe were unlike the immigrants that had come before. What were known as the “new immigrants” were incorrigible, uneducable, a threat to civic life, and genetically incapable of becoming true American citizens.97

94 Marty, Pilgrims in Their Own Land, 285. The document is Sapienti consilio.
96 Nordstrom, Danger on The Doorstep, 3-4 and 28-29. By 1915 the most successful anti-Catholic newspaper of the decade, aptly named The Menace, boasted over 1.6 million weekly readers, a circulation three times greater than the largest daily papers in Chicago and New York City combined…. (10). For example, on June 22, 1912, The Menace ran with a stunning headline, "Knights of Columbus Storm Washington." Alarming prose told readers that over one hundred thousand Catholics, under the direction of Jesuit leaders, had descended on the American capital and threatened “all civic bodies' in the city.” In fact, a crowd of 150, 000 was expected for a parade and the dedication of a sculpture and fountain at Columbus Circle. The U.S. Secretary of State presided over the unveiling, the Chief Justice of the Supreme Court was in attendance, and President Taft gave the formal address. Nordstrom notes that virtually any Catholic activity, from raising funds for orphanages, to dedicating monuments, to celebrating Columbus Day, was seen by the anti-Catholic press as a plot that threatened the nation. Anti-Catholic books questioned the claim that the Catholic Christopher Columbus had discovered America and denied that America was named after Amerigo Vespucci, another Catholic. (42-47).
Tyack finds that one persistent element of civic education has been the idea that Americans are made “one by one.” He credits this idea—“the individual paradigm of citizenship”—in great part to Protestantism. Individuals were to be loyal to the “idealized political order” rather than to kinship, social class, ethnicity or religion. It was job of the public school to break such ties.  

Catholic teaching, on the other hand, stressed the importance and necessity of community.

Like Horace Mann, Cubberley believed that the state—via the public school—should take over more and more of the responsibilities that had traditionally belong to parents. In 1909, he stated with approval, “…each year the child is coming to belong more and more to the state and less and less to the parent.” This could only be accomplished, of course, if children were in the school, so compulsory attendance laws were put in place. These laws were resisted by many of the “new immigrants,” especially the Poles and the Italians whose experiences in their former homelands taught them to distrust state schooling. In response, an army of truant officers were hired to enforce the laws for “the children of immigrants must be swept into the classroom.”

The end of World War I brought a second wave of immigration and anti-Catholicism “rose to a fever pitch.” In 1922, Oregon passed a referendum promoted by the Ku Klux Klan

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100 Of course, there were a host of factors that went into this legislation, including child labor laws and health and safety issues. I will focus on the Catholic dimensions of this legislation.
102 McLaughlin et al, “Setting the Scene,” 7. Anti-Catholic organizations that flourished in the 1920s include—along with the Ku Klux Klan—the Patriotic Knights of American Liberty, the Defenders of Truth Society, The Protestant Guard, and the Fellowship Forum. O’Gorman, The Church That Was a School, 23. Carey notes that the issues that gained the greatest amount of public attention in the 1920s were those connected with schools. Carey, Catholics in America, 81.
which required all children between the ages of eight and sixteen to attend public schools. In the 1925 case *Pierce v. Society of the Sisters of the Holy Names of Jesus and Mary*, the Supreme Court unanimously held that no state could outlaw private schools. They ruled that:

The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the State to standardize its children by forcing them to accept instruction from public 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.” [Pierce v. Society of Sisters, 268 U.S. 510 (1925)]

This was a landmark decision, vindicating the right of parents to educate. Erickson sees in the *Pierce* decision another vindication: the right of Catholic schools to be different. If non-public schools are no different than public schools, he reasons, “their Court-enunciated right to exist is made a farce.” The Catholic schools were in the difficult position “of arguing both that the schools were American and that they were very different from all other American schools. If Catholic schools were not demonstrably American they could not survive pressure from their enemies, and if they were not different, then they had no reason to exist.”

**Post WWII**

After World War II, as every history book attests, Roman Catholics were mainstream. Mario Cuomo, governor of New York, speaking at the University of Notre Dame in 1984, said, “The Catholic Church has come of age in America. The ghetto walls are gone, our religion no longer a badge of irredeemable foreignness.” But the school question reemerged yet again. Postwar immigration had resulted in the growth of Catholic schools and with it the debate over federal

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103 Drinan, “Tax Support for Religious Schools,” 93-94. Yet in 1944, the legal scholar Max Lerner wrote that *Pierce* marked a “dangerous inroad” on “the nation’s stake in having a common democratic education for all children.” Quoted in McGreevy, *Catholicism and American Freedom*, 182.


106 Quoted in Roy, *Rhetorical Campaigns*, 1.
aid.\textsuperscript{107} Martha Nussbaum describes the period after World War II as the second phase of anti-Catholicism. Particularly during this time, she says,

left-wing intellectuals played a key role in denigrating Catholics as bad citizens and in promoting an approach to the legal tradition that was, in its extreme form, deeply unfair both to Catholics and to other people committed to educating their children in religious schools. The phrase ‘separation of church and state,’ which does not appear in our Constitution and plays no role in our early tradition of religious fairness, attained currency during the first wave of anti-Catholicism in the nineteenth century, and was resurrected during the second…\textsuperscript{108}

At the same time, though, there was what has been called the Catholic revival. Its components, as McGreevy describes, were philosophical, theological, and organizational.\textsuperscript{109} School-building boomed. American Catholics had an increased respect for the authority of the pope and an intense piety evidenced by both individual and communal religious devotions and practices.\textsuperscript{110}

In 1947, the Supreme Court ruled—on the basis of the child benefit theory—that reimbursement for bus transportation of Catholic school students was not unconstitutional.\textsuperscript{111} The ruling was not welcome among prominent legal scholars and journalists and prompted a group of clergymen and scholars to create a lobbying group called Protestants and Other Americans United for the Separation of Church and State (POAU).\textsuperscript{112} This aspect of the seminal \textit{Everson v. Board of

\textsuperscript{107} McGreevy says that up until at least the 1950s, most lay Catholics preferred that the federal government not be involved in any way with Catholic schools. But the bishops began to see that as communities raised taxes to pay for the growth of public schools, Catholic parents would be under a dual burden of financially supporting both public and Catholic schools. McGreevy, \textit{Catholicism and American Freedom}, 183.

\textsuperscript{108} Nussbaum, \textit{Liberty of Conscience}, 10-11. Nussbaum notes that the matter of aid to religious schools is “a profoundly difficult one,” but argues that “we can say with confidence that it is one on which some parts of the left went wrong, and we can also conclude that leading figures on the left, at that time, used the idea of ‘separation’ in a way that went astray from the tradition’s central commitment to fairness and equal respect.”


\textsuperscript{110} Ibid.

\textsuperscript{111} Drinan, “Tax Support for Religious Schools,” 97. The child benefit theory is based on the idea that public funds benefit the child, not the religious school that the child attends. Catholics argued that if returning GIs could use the educational benefits at Catholic colleges, why couldn’t it be possible to view federal aid as benefiting the child, not the religious institution. McGreevy, \textit{Catholicism and American Freedom}, 183.

\textsuperscript{112} McGreevy, \textit{Catholicism and American Freedom}, 183. It is now known as Americans United for Separation of Church and State (Americans United or AU for short). Many Baptist ministers were especially upset with the ruling.
Education—so controversial at the time—is not, of course, the most far-reaching. More important was the application of the Establishment/Free Exercise clause of the First Amendment to the states and establishing Thomas Jefferson and James Madison as the important Founders. The Court’s ruling introduced Jefferson’s “wall of separation” phrase into legal and political discourse, a phrase that quickly became American dogma. Thus, as some careful observers commented at the time, the losers of the case were, in fact, the winners.113

McGreevy notes that the legal scholarship on Everson—and McCollum v. Board of Education, which was decided the following year—is voluminous because these two cases are the bases for all the decisions on church-state matters from that time forward. He argues that mostly ignored is the context for those two decisions, which was the “ongoing discussion about Catholicism and democracy.”114 Philip Hamburger is an exception, however, having documented Supreme Court Justice Hugo Black’s membership in the Ku Klux Klan and the effect his anti-Catholicism had on his decisions.115

Just two years after Everson, Paul Blanchard—editor of the Nation magazine and Ivy League academic—warned, in his best-seller American Freedom and Catholic Power, that the


114 McGreevy, Catholicism and American Freedom,184. The McCollum case was about the practice of release time in public schools, when children were released from class and clergy of different faiths gave religious instruction for one hour a week. It was ruled unconstitutional, based on the idea of “wall of separation” laid out in the Everson ruling. To some observers, in deciding McCollum, the Court mandated secularism. Glenn and Stack, “Is American Democracy Safe for Catholicism?” 13.

115 Hugo Black was a Baptist, a progressive, a Scottish Rite Mason, and a Klansman. Known by those who knew him well as “the darling of the Ku Klux Klan,” he was admired for being able to deliver the best anti-Catholic speech you had ever heard. As Black’s son would later say, “The Ku Klux Klan and Daddy, so far as I could tell, only had one thing in common. He suspected the Catholic Church. He used to read all of Paul Blanshard’s [sic] books exposing power abuse in the Catholic Church. He thought the Pope and bishops had too much power and property.” Hamburger, Separation of Church and State, 423-463. Justice Frankfurter was also known for his “distinct distaste for Catholicism,” and voted against the majority in Everson, arguing that a state’s providing busing violated the principle of separation. Hamburger, 474. McGreevy, Catholicism and American Freedom, 263.
presence of Catholicism in American culture threatens freedom. Blanchard’s credentials as a journalist and scholar put a face of respectability on nativist anti-Catholicism.116

The 1950s was an era of criticism for public schools, especially in the aftermath of Sputnik.117 But Catholic schools were also criticized. They were, it was claimed, inferior to public schools in preparing student for responsible citizenship. No less a personage than James B. Conant, President of Harvard University, said that Catholic schools were a “threat to our democratic unity.” 118

Vatican II Reforms
When the Second Vatican Council opened in 1962, Catholic schools were the pride of the Church in America. That quickly changed. Following the Council’s call for Catholics to be more engaged in the secular culture, hundreds of priests and nuns left their orders. The impact on schools was devastating. Most obvious was the financial impact. The teaching sisters, especially, had served the schools at low or no cost to the parish. Now, lay teachers must be hired and salaries must be paid. Now it would be necessary to charge tuition.119 At least important, though only more recently discussed, was the effect the departure of the teaching religious—sisters, brothers, and priests—had on the Catholic identity of the schools and, importantly, on the lack of role models for future religious vocations.120 The high-water mark for the number of children

116 Hamburger, Separation of Church and State, 451. While still a student at Columbia, Blanchard had worked briefly on the team helping John Dewey study the Polish community of Philadelphia during World War I. Dewey concluded that the Polish Americans were too wedded to the “corrupt” Catholic Church to be true Americans. When Blanchard’s book came out, Dewey praised the author for showing “exemplary scholarship, good judgment, and tact.” McGreevy, Catholicism and American Freedom, 167-169.
120 Grace, Catholic Schools: Mission, Markets and Morality, 64.
attending Catholic schools was 1965-66, when 5.5 million elementary and secondary students were enrolled.\textsuperscript{121} The decline since then has been apparent—we might say painfully obvious—and there has been much speculation over the years as to the reasons for it.\textsuperscript{122} Usually it is seen as the result of a combination of factors: lack of innovation by the Catholic bishops (this is Greeley’s argument\textsuperscript{123}); the changing attitudes of parents; theological shifts associated with the Second Vatican Council; staffing changes due to the disappearance of teaching nuns; and the relocation of Catholic families from the cities to the suburbs. And, more recently, the competition from public charter schools.\textsuperscript{124} In the Council’s aftermath—at the time that Catholic schools in America had reached their greatest success—Mary Perkins Ryan, writer, editor, and a leader in the field of religious education, famously asked if Catholic schools were still necessary. Answering her own question, she said, no. The Catholics school system, she said, had outlived its usefulness and the Church should focus its resources on adult education.\textsuperscript{125}

**The late 20\textsuperscript{th} century**

The studies by Greeley (1982) and Coleman and Hoffer (1987)—using data collected by the federal government—produced findings that were controversial. They showed that minority

\textsuperscript{121} Between 1961 and 2012, Catholic school enrollment dropped from 5.2 million to 2.1 million students. Between 1990 and 2015, more than 400 new Catholic schools had opened, but there had been a net loss of 760 Catholic schools, mostly in inner city and rural areas. Miller, “The Holy See’s Teaching,” 358.


\textsuperscript{123} Greeley calls it a characteristic loss of nerve and makes this argument in a number of places. For instance, Greeley, *An Ugly Little Secret*, 79-80.


students in Catholic schools outperformed their peers in public schools. The reports came at a time that public schools were being criticized and—although the Catholic schools had not sought or requested this research—some public-school supporters blamed the Catholic schools when voters did not pass school levies.126

During the 1980s and 1990s, Catholic schools were on the defensive, seemingly needing to prove that they contribute to the common good and are “a great gift to our nation.”127 What we might call the “look-we’re-just-like-you” period was followed by a period of reassessment. By the start of the 21st century, Catholic schools were asking themselves and each other, a question that would have been unimaginable to teaching sisters, priests or parents in the 1880s: What makes us different. In an effort to articulate the answer to that question, conventions, materials, and innumerable hours of in-services for principals and teachers focused on the important issue of Catholic identity.128

Cardinal Dolan speaks about “The 21st century version of the Hughes predicament.” In the present version, Dolan says, anti-Catholicism is not narrow Protestantism, but “a new secularism asserting that a person of faith can hardly be expected to be a tolerant and enlightened American.”129 It is not insignificant that the bishop raises this concern in an essay titled The

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127 Heft, Catholic High Schools, 26. In 1997, the National Congress on Catholic Schools for the Twenty-first Century proclaimed, “We leaders of Catholic schools believe that our schools are a great gift to our nation. Our convictions are supported by fact and faith.” Prologue of the National Congress on Catholic Schools for the Twenty-first Century, (1991), quoted in McDermott, Distinctive Qualities of the Catholic School, ix. The standard work is Bryk, Lee, and Holland. Catholic Schools and the Common Good. The emphasis during those years was that the Catholic schools were worthy of public funding.
128 O’Gorman, The Church That Was a School, 5.
129 Dolan, “The Catholic Schools We Need.” As recently as 1971, in Lemon v. Kurtzman, Supreme Court Justice Douglas clearly showed his bias against schools that insist there is an absolute truth. Douglas wrote that, while it was the purpose of public schools to educate, it was the purpose of Catholic schools to indoctrinate. This was not a new argument, but Douglas went one step further by favorably citing Loraine Boettner’s 1961 anti-Catholic tract, Roman Catholicism. Catholic children, she had written, were told what to do, what to wear, and what to think. Glenn and Glenn, “Making Room for Religious Conviction,” 97. McGreevy, Catholicism and American Freedom, 264.
Catholic Schools We Need. Not unlike the argument made by the bishops at the Third Plenary Council in Baltimore, Cardinal Dolan says that, without Catholic schools, “the church in the United States is growing less Catholic, less engaged with culture and less capable of transforming American life with the Gospel message.”

Having looked at the historical context of Catholic schooling in America and the current issues that face it, in the next chapter I will consider some ideas that may not seem, at first, to follow from this one, that is, America’s founding principles. Yet, Chapter 4 will consider those principles in the context of Catholic anthropology—specifically, the nature of the human person and his or her relation to the state—and forward to Chapter 5 and the conclusions of decades of research on the success of Catholic schools in turning out good American citizens. The examples of both/and offered in this chapter—that it was possible to be both Catholic and American; that the Catholic parish and school served both as protecting fortress of the faith and bridge to full civic participation—will be examined in the context of Catholic anthropology in Chapter 6.

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130 Timothy Dolan, “The Catholic Schools We Need.” Catholic schools are an essential part of the mission of the Church, which is to follow the mandate given by Jesus to, “Go teach!” Thus, the whole Church, not just the parish, benefits from the school.

130 Ibid. The Cardinal wrote that, “History has long taught that without teachers to announce the Gospel and educate the young, the church struggles to survive. Evangelization through good teaching is essential to Catholic life.” Further, he writes, “In the 20th century, for example, there was no greater witness to the effectiveness of Catholic schools than the Nazi and Communist efforts to destroy them. ... Tyrants know and fear the true strength of a Catholic education: what parents begin in the home, Catholic schools extend to society at large.”
CHAPTER 4

OF CREEDS AND PARADOXES

In this chapter, I will examine two important sets of ideas that are the basis of the American Compact. One is the understanding of the nature of the human person. The other is the proper relationship of the person to the state.

Unlike the French revolutionaries, the Americans did not aim to create a utopia and then do whatever they deemed necessary to create a “new man” to inhabit it. They looked, instead, for a way to create a government that would preserve the virtue and the freedom of man as he was—that is, both fallen and capable of virtue. Unlike the French revolutionaries, the Americans did not throw out everything that they already possessed in order to build something new.¹ They kept most of what they had inherited from England. They looked back on the history of ancient Rome, in which they had all been educated, and whose lessons they took very seriously. Perhaps most of all, however, the Founders drew on their experience as American colonists, with its Christian understandings and practice in self-government, as I will show below.² The concept of virtue and the importance of community will be explored further in the context of schooling in Chapter 5 and of ethos in Chapter 6. The meaning of virtue will be discussed below.

The principles underlying the Constitution are not expressed in the Constitution itself. As Lawler and Schaefer note, the principles are only implicitly found there. For their understanding

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² Chinard suggests that the practice of citing precedent and quoting authorities was due to the legal training of so many of the Founders. Gilbert Chinard, “Polybius and the American Constitution,” Journal of the History of Ideas 1, no. 1 (1940): 38-39.
of the founding principles, “Americans have used as their authority the Declaration of
Independence.”3 The first part of the American Compact, the Declaration of Independence, states
a clear set of beliefs about the person and the state. G.K. Chesterton explained it this way.
America, he said, is “a nation with the soul of a church.” That is, like a church, America
welcomed people from all over the world, people of different races, ethnicities, and national
origins. But like a church, America required acceptance of a certain set of beliefs. Those
beliefs—that creed—are stated in the Declaration of Independence. In other words, America is
“a nation with the soul of a church” and “that soul is fed by documents.”4 The second part of the
Compact, the Constitution, lays out the government best suited to that set of beliefs expressed in
the first part.5.

3 Peter Augustine Lawler and Robert Martin Schaefer, eds, introduction to The American Experiment: Essays on the
that America was based on a creed after having to respond to certain kinds of questions when he applied for a visa
for entrance to the United States: Are you an anarchist? Are you in favor of subverting the United States by force?
The questions seemed to be a test of acceptance of a certain set of beliefs. The acceptance of the creed mattered
more than race, ethnicity, or national origin. David Mills, “The Nation with the Soul of a Church, First Things
Chesterton went on to ask, what “makes America peculiar.” It was, he said, that the United States was the
incarnation of the idea that “all men are created equal. Sidney E. Mead, “The "Nation with the Soul of a Church,”
Church History 36, no. 3 (1967): 262.
5 See Lutz for a discussion of the concepts of contracts, compacts, and covenants. He makes the convincing
argument—on which I rely—that the Declaration and the Constitution are two parts of one compact or covenant. It
seems to me that, based on Lutz’s definitions, covenant is a better descriptor than compact. A covenant “was
essentially an oath, and if it established a political community, political obligation did not rest only on consent but
was secured by the oath. In each case, the highest relevant authority witnesses and therefore secures the agreement.
…” We find this oath and the appeal to God as the highest authority in the Declaration of Independence. Donald S.
Lutz, The Origins of American Constitutionalism. (Baton Rouge: Louisiana State University Press, 1988), 17. Also,
David S. Lutz, “The Declaration of Independence as Part of an American National Compact.” Publius 19, no. 1
the right to resist and the theory of revolution. Quentin Skinner, The Foundations of Modern Political Thought:
human nature

the argument over the constitution—the federalist-anti-federalist debate—was a disagreement over the best way to organize a republican government that took into account the nature of the person. Putting it theoretically, they said that man suffers the consequences of Adam’s original sin; putting it otherwise, he chooses badly, has imperfect reason, and is corrupted by power. At the same time, importantly, he or she is capable of virtue. If they were not capable of virtue—of recognizing and choosing the good—popular sovereignty would be useless, and the creation of a republic would be folly. the basis for the american understanding


7 Interestingly, vetterli and Bryner argue that the common bond that linked together the many sources of the American founding was the idea of virtue. vetterli and Bryner, In Search of the republic, 1.

of the nature of the person is stated in the Declaration. All men are created by God. Everything else about him—his dignity and his natural rights— is derived from his being God’s creature. Writing in 1765, John Adams said, “Let us see delineated before us the true map of man. Let us hear the dignity of his nature and the noble rank he holds among the works of God…” Adams continued, “God Almighty has promulgated from heaven, liberty, peace and good-will to man!” And James Wilson, in his most famous Supreme Court opinion, said that, “MAN, fearfully and wonderfully made, is the workmanship of his all perfect CREATOR.”

God created men and created them equal. Although the Constitution, where equality “should have been enthroned,” is silent on the matter of equality, the Declaration of Independence is clear. Because men in their natural state are equal, it follows that no human being can claim the right to rule another without his consent. God created all men equal, but they are not equal in every way. John Adams pointed out the obvious when he wrote: “[T]here is a moral and political and a natural Equality among Mankind, all being born free and equal, yet there are other inequalities which are equally natural. Such as Strength, Activity, Industry, Genius, Talents,

12 Charles S. Hyneman, The American Founding Experience: Political Community and Republican Government, ed. Charles E. Gilbert (Urbana and Chicago: University of Illinois Press, 1994), 267-268. The Declaration of Independence described, as Lutz would frame it, the “people that we are and who we hope to be.” The belief that all people were equal because they were created by God, did not yet mean they had political equality. The working out of the Constitution, and the compromises made in order to create it, are outside the scope of this project.
13 Zuckert, Launching Liberalism, 213. According to Locke, “For men being all the workmanship of one…wise Maker…and being furnished with like faculties, sharing all in one community of nature, there cannot be supposed any such subordination among us that may authorize us to destroy one another, as if we were made for one another’s uses, as the inferior ranks of creatures are for ours.” Locke, The Second Treatise of Civil Government, Book 1, Chap. 2. Discussion in Arkes, Constitutional Illusions, 46-47.
Virtues, Benevolence.” The American republic would take these inequalities into account and would rely for its leadership on a natural aristocracy of talent and merit, not an aristocracy by birth. The natural “diversity in the faculties of men” – combined with the fallibility of human reason and man’s natural liberty— was addressed by Madison in Federalist 10. The project of imposing a uniformity of thought was contrary to republican principles. It violated the idea of liberty to try to force people to think alike. The solution to the natural diversity of opinion and interest-- to the “mischief” caused by factions-- Madison said, was designing a government that took differences into account. A republic spread over a large area and based on representative

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15 Hamilton, writing about the election of representatives to Congress, wrote in Federalist 36, “‘The door ought to be equally open to all…”

16 Richard, The Founders and the Classics, 51. For the leaders of the Revolution, merit meant learning. Classical symbols and references were commonly used in speeches and writing because merit was equated with classical knowledge. Although many of the Founders—and De Tocqueville—believed that widespread ownership of property was an aid to liberty, but that an equal division of property, as Madison noted in Federalist 10, was an “improper or wicked project.” Typically, when Americans referred to “a general distribution of property,” they were advocating dividing estates equally among their children and eliminating primogeniture. They referred to the “plenty and cheapness of land,” or the opportunities “open for industrious men, who are born to no inheritance, to acquire property.” A general distribution of property, combined with “a general diffusion of knowledge” would make liberty secure. “The Republican” to the People---Connecticut Courant (Hartford), January 7, 1788, in Bailyn, The Debate on the Constitution, I: 711.

17 Part of the Anti-Federalist argument was that “Notwithstanding the splendor of names which has attended the publication of the new constitution …great men are not always infallible, and that patriotism itself may be led into essential errors.” Reply to Wilson’s Speech: “An Officer of the Late Continental Army” [William Findley?] in Bailyn, The Debate on the Constitution, 97.
government would, in fact, preserve liberty and solve the problems that had caused ancient small republics with their system of direct democracy to fall.\textsuperscript{18}

Further, as the Declaration states, it is a self-evident truth that man is a being who possess God-given rights.\textsuperscript{19} The moral foundation of democracy is based on the idea that this “order of natural rights…transcends the positive laws of the state and to which governments, majorities, and individuals alike are held accountable.”\textsuperscript{20} Samuel Adams said, “Just and true liberty, equal and impartial liberty” in matters spiritual and temporal, is a thing that all Men are clearly entitled to, by the eternal and immutable laws Of God and nature, as well as by the law of Nations, & all well grounded municipal laws, which must have their foundation in the former.”\textsuperscript{21} As I have

\begin{itemize}
\item \textsuperscript{18} Federalist 10: “There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests. It could never be more truly said than of the first remedy, that it was worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency. The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed…. It is in vain to say that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm…. The inference to which we are brought is, that the CAUSES of faction cannot be removed, and that relief is only to be sought in the means of controlling its EFFECTS…… A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking.”
\item \textsuperscript{19} Lawler and Schaefer, introduction to The American Experiment, 4. The Declaration of Independence uses the term \textit{right} in the classical definition provided by Suarez: “a certain moral power which every man has, either over his own things, or over things due to him.” Suarez, \textit{De Legibus}, Lii.5. Quoted in Zuckert, The Natural Rights Republic, 106.
\item \textsuperscript{21} In 1772, Samuel Adams wrote, “Among the natural rights of the Colonists are these: First, a right to life; Secondly, to liberty; Thirdly, to property; together with the right to support and defend them in the best manner they can. These are evident branches of, rather than deductions from, the duty of self-preservation, commonly called the first law of nature.” “Samuel Adams, “Natural Rights of the Colonists as Men.” The Report of the Committee of Correspondence to the Boston Town Meeting, Nov. 20, 1772. Old South Leaflets no. 173 (Boston: Directors of the Old South Work, 1906) 7: 417-428. \url{http://history.hanover.edu/texts/adamss.html}
\end{itemize}

The American devotion to liberty was based on the understanding of the worth of each human being. Vetterli and Bryner, In Search of the Republic, 54.
shown in Chapter 1, this belief in the “fundamental and inalienable rights of the human person” and the requirement that public authorities respect them is also a principle of Catholicism.22

Among men’s natural and inalienable rights are the rights to life, liberty and the pursuit of happiness, and the purpose of the law is to protect those rights.23 James Wilson said the same thing: “With consistency, beautiful and undeviating, human life, from its commencement to its close, is protected by the common law…. By the law, life is protected not only from immediate destruction, but from every degree of actual violence, and in some cases, from every degree of danger.”24 Our right to liberty, John Adams said, is “derived from our Maker.”25

Zuckert points out important differences between the 1689 English Declaration of Rights and the 1776 American Declaration of Independence.26 The source of rights in the English Declaration was in antiquity; in the American Declaration, the source of rights is God. In England, the people of the kingdom possessed rights; the Americans declared that all men possessed rights.27 The American view held that all men possessed rights even before they

23 See for instance, “Cato” III – New York Journal, October 25, 1787, in Bailyn, The Debate on the Constitution, 214. John Adams said, “upon this point all speculative politicians will agree, that the happiness of society is the end of government, as all divines and moral philosophers will agree that the happiness of the individual is the end of man.” Quoted in Morton Gabriel White, The Philosophy of the American Revolution. (New York: Oxford University Press, 1978), 235.
25 Adams, A Dissertation on the Canon and Feudal Law.
26 Zuckert, Launching Liberalism, 275- 284.
27 The English rights are not as “fundamental” or “universal” as the America rights. Zuckert, Launching Liberalism, 283. According to Blackstone, the rights of Englishmen—which were the rights the Americans claimed in the Revolutionary era-- “were formerly …the rights of all mankind; but in most other countries of the world being now more or less debased and destroyed, they may be said to remain, in a peculiar and emphatical manner, the rights of the people of England. Sir William Blackstone, Commentaries on the Laws of England, I: 125, quoted in Zuckert,
entered into civil society. Finally, unlike the American Declaration, the English Declaration of Rights is silent on the ends of government.

Although men have an inalienable right to pursue happiness, the Founders agreed that to be truly happy, men must be virtuous. As we have seen in Chapter 1, Thomas Aquinas had said the same thing; virtue was the key to earthly happiness. Expressing the same idea, John Adams said, happiness “can never be found without virtue,” and he “hazard[ed] a conjecture, that the virtues have been the effect of the well-ordered constitution, rather than the cause.” According to Franklin, one could not live a happy life without virtue. The idea of happiness as a goal of living, of something worthy of pursuit, is an ancient one in Western civilization. Writing in the sixteenth century, the English common lawyer Christopher Saint Germain said, “The law of reason ordereth a man to the felicity of this life.” Blackstone saw a connection between “human felicity” and justice and said that natural law “amounts to no more than demonstrating

Launching Liberalism, 239. It should be noted, however, that Zuckert does not give an adequate definition of —or sources for— antiquity.

28 John Dickinson spoke of ‘rights essential to human happiness’ that are not ‘gifts’ of princes but ‘are created in us by the decrees of Providence which establish the laws of our nature’ Bradford, A Better Guide Than Reason, 91. John Dickinson was an important Founder who, unfortunately, falls into the category of forgotten Founders today. He is called “the penman of the Revolution” because he wrote virtually of the important documents of the Revolutionary era except the Declaration of Independence. James Wilson related happiness to God’s law and natural law. Hall, “James Wilson: Presbyterian, Anglican, Thomist, or Deist?” 190.


30 Ibid. The disputes over the ratification of the Constitution would return again and again to this question: Was the source of virtue that was required for republican citizenship to be found in the government or in the people?

31 Walter, Benjamin Franklin and His Gods, 126. Franklin argued that it was the moral virtues that made life worth living. H. W. Brands, The First American: The Life and Times of Benjamin Franklin. (New York: Doubleday, 2000), 95. Virtue makes one happy, Franklin said, and “…He [God] is pleased when he sees me happy.” See also Lubert, “Benjamin Franklin and the Role of Religion,” 158.


33 Christopher Saint German, The Doctor and Student: Or, Dialogues Between a Doctor of Divinity and a Student of the Laws of England. (Cincinnati: R. Clarke & Co., 1874), 6. His name is variously spelled: St. German, St. Germain, Saint German, or Saint Germain.
that this or that action tends to man’s real happiness.”  Blackstone, Commentaries, I 40-41, quoted in Zuckert, Launching Liberalism, 250.

34 God had created man is such a way, the

35 Zuckert, Launching Liberalism, 250.


38 Barry Alan Shain, “Afterword: Revolutionary-Era Americans: Were They Enlightened or Protestant? Does It Matter?” in The Founders on God and Government, ed. Daniel L. Dreisbach, Mark D. Hall and Jeffry H. Morrison (Lanham: Rowman & Littlefield, 2004), 277. They agreed with Algernon Sidney, who wrote: “Our inquiry is not after that which is perfect, well knowing that no such thing is found among men; but we seek that human Constitution which is attended with the least, or the most pardonable inconveniences.” Discourses, 142.

the “badness” in men’s character and their concern with their own self-interest. John Adams worried that people in “the lower orders” could be susceptible to demagogues who might play upon class envy. Jefferson blamed frailty of human nature for what he and others saw as the corruption of Britain. Even the Rev. John Witherspoon, known as an optimist and a man of the Scottish Enlightenment, seemed to reject Enlightenment optimism in speaking of the sinful nature of man.

As the liberal political scientist Louis Hartz has noted, “Americans refused to join in the great Enlightenment enterprise of shattering the Christian concept of sin, [and] replacing it with an unlimited humanism.” Hamilton, writing as Publius in Federalist 6, dismisses as “Utopian speculations” notions of relations between sovereign states that disregard the lessons of history and fail to take into account the nature of man. Henry May, a respected historian of the Enlightenment in America, says that “many, probably most, people who lived in America in the eighteenth and nineteenth centuries” were outside Enlightenment thought. As Shain describes them, they were “localist, parochial, and communal Christians whose world was shaped by the tenets of Reformed and Pietist Christianity; by their provincial and local political experiences of sometimes over 150 years; and by the demands and constraints of agricultural production.”

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40 Lubert, “Benjamin Franklin and the Role of Religion,” 161 and 163. Walters, Benjamin Franklin and His Gods, 118.
41 Bradford, A Better Guide Than Reason, 20. In Federalist 51, Madison referred to the “propensity of …assemblies to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders, into intemperate and pernicious resolutions.”
42 Bailyn, To Begin the World Anew, 45.
45 In this, Engeman says, Hamilton ridicules the French Enlightenment. Engeman, “The Federalist,” 79. Hamilton reminded his readers that they would be disregarding “the uniform course of human events” if they forgot that “men are ambitious, vindictive, and rapacious.”
47 Shain, “Afterward,” 274-275. The elites, he says, were the exception.
addition, many of the most influential Founders belonged to the Church of England or Anglican faith, which was essentially the same as the Roman Catholic theology. All of this shaped their understanding of the nature of the person.48

Although James Wilson was more optimistic about human nature than some fellow-Founders, his reason for advocating the separation of powers and checks and balances in the new Constitution was based on the conviction that men are corruptible. It was not enough to count on the goodwill of the voters or of the elected officials to limit the power of government.”49 “If men were angels,” Madison wrote in *Federalist* 51, “no government would be necessary.”50

The Corrupting Influence of Power

The Founders did not need to wait for Lord Acton’s 1887 pronouncement to know that all power corrupts. Reformed Protestants believed that no sinful man, no matter what his social standing, could be trusted with corrupting power.51 During the debates on the Constitution, for instance, William Goudy of North Carolina warned that rulers were liable to usurp the power that belonged to the people and William Lenoir, of the same state, spoke for many when he said that

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it was natural for men to aspire to power and “the nature of man to be tyrannical.” Prominent Anti-Federalists “Centinel” and “Brutus” made the same argument. Even earlier in the Founding era, when the Articles of Confederation were being written, the people worried about the concentration of authority in a central governing body. As the town of West Springfield, Massachusetts prepared to send its representatives to Philadelphia, where the Articles were drafted, it reminded them of “the weakness of human nature and the growing thirst for power,” adding, “It is freedom, Gentlemen, it is freedom, & not a choice of the forms of servitude for which we contend.”

The problem of power and its corrupting influence when combined with the sinfulness that is one part of human nature is evident throughout the Federalist Papers and the ratification debates. The arguments for the structure of the government as laid out in the new Constitution are those for limiting, checking, and balancing power. The arguments for the periods of rotation (length of term), the need for Senate in addition to the House of Representatives, and the processes for the election of representatives, the President, and the members of the court, all go back to the

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54 “Besides, it is a truth confirmed by the unerring experience of ages, that every man, and every body of men, invested with power, are ever disposed to increase it, and to acquire a superiority over every thing that stands in their way.” “Brutus” I, New York Journal, October 18, 1787, in Bailyn, The Debate on the Constitution, I: 169-171; “Brutus” III, I: 317; “Brutus” VIII, in Bailyn I: 735.
56 Although the Anti-Federalists were not in complete agreement about which parts of the Constitution should be opposed, they were united in their concern that a national government gave men excessive power. Main, The Antifederalists, 119-127. The Federalists argued that the increase in federal power would be an antidote to absolute power, which history taught always followed anarchy. Richard, The Founders and the Classics, 120.
issue of limiting power and preserving virtue.\textsuperscript{58} Human institutions, because they were created by imperfect men, would not be perfect. The best they could hope for was “that which has the most excellencies and fewest faults.”\textsuperscript{59}

**But Capable of Virtue**

But people were also capable of choosing the good. Alexander Hamilton, writing as Publius in *Federalist* 76, said:

“The supposition of universal venality in human nature is little less an error in political reasoning than the supposition of universal rectitude. The institution of delegated power implies that there is a portion of virtue and honor among mankind which may be a reasonable foundation of confidence; and experience justifies the theory.”

This is noticeably like Catholic teaching that, despite the consequences of original sin, people are capable of virtue. With the use of reason and free will, the person “is capable of directing himself toward his true good. He finds his perfection "in seeking and loving what is true and good."\textsuperscript{60}

James Madison, in *Federalist* 55, famously addressed this when he wrote:

As there exists a certain degree of depravity in mankind which requires a certain degree of circumspect and distrust: so there are other qualities in human nature, which justify a

\textsuperscript{58} Sellers, *American Republicanism*, 208. *Federalist* 57 states: “The aim of every political constitution is, or ought to be, first to obtain for rulers men who possess most wisdom to discern, and most virtue to pursue, the common good of the society; and in the next place, to take the most effectual precautions for keeping them virtuous whilst they continue to hold their public trust.” Main, *The Antifederalists*, 12.


\textsuperscript{60} CCC 1704.
certain portion of esteem and confidence. Republican government presupposes the existence of these qualities in a higher degree than any other form.61

Law

Christopher Saint Germain had, like Aquinas,62 said that there are four laws: the eternal law, the law of nature (or of reason), the law of God, and the law of man. Blackstone, for generations the greatest influence on students of law in America, thought about law in a similar way.63 References to natural law—explicitly or implied—are everywhere in the Founding and in the debate on the Constitution. Thus, the many traditional and intellectual sources that influenced the Founders were alike in at least one respect: they were based one way or another on the idea of natural law.64 Revolutionary leaders, including James Otis, John Hancock, Joseph Warren, and John and Samuel Adams, had, as students, studied Jean-Jacques Burlamaqui’s Principles of Natural Law, which was the standard text of political theory at Harvard.65 James Wilson—signer


62 In Doctor and Student, Saint Germain for the most part quotes directly from Summa Theologica when defining the four kinds of law. Zuckert, Launching Liberalism, 245. While Saint Germain thought that all laws were a manifestation of eternal law and so must be obeyed, Blackstone believed that universal laws must be obeyed, but that man is obliged to use his reason in regard to the others. Launching Liberalism, 246.

63 Zuckert, Launching Liberalism, 243- 245. While both Saint Germain and Aquinas understood the natural law to be the precept to do good and avoid evil, Blackstone found the first precept—the “effectual truth” about human beings-- to be self-love. This, he said, is what directs us to pursue our happiness. Zuckert, Launching Liberalism, 251-252. Allen, however, credits Locke and other Enlightenment thinkers for “spreading the concept of natural law through the educated elite.” Brooke Allen, Moral Minority: Our Skeptical Founding Fathers. (Chicago: Ivan R. Dee, 2006), 179.

64 Cicero’s doctrine of natural law, for instance was “widely popular” in the Revolutionary and Founding eras. Both John Adams and Thomas Paine, among many, referred to it. Cicero said that true law “is right reason, conformable to the nature of things, constant, eternal… This law cannot be overruled by any other, nor abrogated in whole or in part…nor can there be one law at Rome and another at Athens; one now and one hereafter; but the same eternal immutable law comprehends all nations at all times, under one common master and governor of all--- God.” Howard Ioan Fielding, “John Adams: Puritan, Deist, Humanist,” The Journal of Religion 20, no. 1 (1940): 44.

65 Frank Lambert, The Founding Fathers and the Place of Religion in America. (Princeton: Princeton University Press, 2003), 167. Burlamaqui defined natural law as a law that God imposes on all men, a law that they can discover and know by their use of reason.
of the Declaration of Independence, Supreme Court Justice, and law professor—said that our understanding of law is based upon natural law, that God in His “infinite goodness” has “the supreme right to prescribe a law for our conduct, and that we are under the most perfect obligation to obey that law.”66 James Iredell—appointed to the Supreme Court in 1790, just a year after Wilson—said reason is “that attribute which the Almighty has bestowed upon all mankind for the ultimate guide and director of their conduct.”67 In other words, it was the use of the God-given gift of reason that made the natural law self-evident. As discussed in Chapter 1, this was the teaching of the Church as expressed by Thomas Aquinas. According to Aquinas, Natural Law is “based on a single first principle: "good is to be done and ensued [prosequendum], and evil is to be avoided." All other precepts of the natural law are based upon this, so that whatever the practical reason naturally apprehends as man's good (or evil) belongs to the precepts of the natural law as something to be done or avoided.”

The English courts recognized natural law, holding that if the acts of the sovereign or the Parliament conflict with the natural law, those acts must be disregarded.69 Blackstone held the same view.70 So did Locke, who wrote that a nation’s laws “are only so far right as they are founded on the Law of Nature, by which they are to be regulated and interpreted.” The Law of Nature, he said, “stands as an Eternal Rule to all Men, legislators as well as others.”71

68 Donnelly, “Natural Law and Right in Aquinas’ Political Thought,”522-23.
70 Blackstone, Discourses, I 41, Zuckert, Launching Liberalism, 250.
American colonist objected to the actions of the English Parliament, they did not do so on the basis of common law or positive (written) law. They objected on the basis of the rights and principles of equity that were found in natural law. The federal and the state bills of rights were also based upon natural law. People on both sides of the debate over the ratification of the Constitution, based their arguments on the nature of the person and natural law.

English common law, which had its roots in the medieval ideas of Roman and canon law, emphasized “law as reason” over “law as the will of the sovereign.” The common law—because like natural law, it possesses an inherent reason—is closer to the people than civil (positive) law. The common law “carried the promise of liberty” even before Magna Carta. Their study of common law at the Inns of Court provided John Dickinson and other Founders with the arguments that they would later use to justify resistance to the Stamp Act and the

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76 Tetlow, “Transcendental Dimensions.” Tetlow argues that the difference between the English/American and the French conceptions of law are at the heart of the difference between the American and French revolutions. Tetlow, “Transcendental Dimensions,” makes this comparison: “After the French Revolution, the Code Napoleon of 1804 was meant to abolish all prior law and start anew with a comprehensive, coherent, and complete civil code that sought to eliminate the need for judicial interpretation. Originating in the Justinian Code of 533, the Roman civil law always possessed imperial authority, codification, and a statutory will as sovereign. In this sense, the civil law is more removed from the people; whereas, the common law and law of nature possesses an inherent reason and proximity to the people.”
77 Tetlow, “Transcendental Dimensions,” makes this comparison: “After the French Revolution, the Code Napoleon of 1804 was meant to abolish all prior law and start anew with a comprehensive, coherent, and complete civil code that sought to eliminate the need for judicial interpretation. Originating in the Justinian Code of 533, the Roman civil law always possessed imperial authority, codification, and a statutory will as sovereign. In this sense, the civil law is more removed from the people; whereas, the common law and law of nature possesses an inherent reason and proximity to the people.”
Intolerable Acts.\textsuperscript{79} These laws of Parliament, they argued, were void because they violated the common law, which was higher than any statute.\textsuperscript{80}

Because the Founders saw their notions of natural rights and social compacts were “deeply congruent” with their rights under the common law, they saw no need for a new legal code. They preserved the legal order that they had inherited.\textsuperscript{81} Education in the English common law tradition—in particular, the study of Blackstone’s \textit{Discourses}-- complemented the classical education of the Founders.\textsuperscript{82} The reason that English constitutionalism was successful, Blackstone said, was the maintenance of the common law, because customs are “established by consent.”\textsuperscript{83} In this sense, common law is a natural and decentralized form of democracy.\textsuperscript{84}

Although Blackstone recognized the existence of natural law as a guide to the affairs of men, he also recognized that human reason is corrupt, that human understanding is “full of ignorance and error,” and that sometimes men are moved by “passions and prejudices,” rather than by reason.\textsuperscript{85} For these reasons, Blackstone said, the law of nature needed to be supplemented by human law (the law that is posited, that is, positive law) and by the law of revelation found in the Bible.\textsuperscript{86}

\textsuperscript{79} Mullett, “Medieval English Law and the American Revolution,” 530.
\textsuperscript{80} Ibid., 538.
\textsuperscript{81} In this they differed from the French. Zuckert, \textit{Launching Liberalism}, 240. Lutz, however, says that the common law was used selectively in the colonies. Chinard says that the prevalence of the study of the common law among the Founders explains “the legalistic disposition in the behavior of all American deliberative assemblies.” Chinard, “Polybius and the American Constitution,” 41-42. Lutz, \textit{The Origins of American Constitutionalism}.
\textsuperscript{83} Blackstone, \textit{Discourses}, I 78, quoted in Zuckert, \textit{Launching Liberalism}, 259.
\textsuperscript{84} Zuckert, \textit{Launching Liberalism}, 259.
\textsuperscript{86} Zuckert, \textit{Launching Liberalism}, 251. Peter Lillback, \textit{George Washington’s Sacred Fire}. (Bryn Mawr, Pa: Providence Forum Press, 2006), 470 and 476. Blackstone wrote, “Upon these two foundations, the law of nature and the law of revelation, depend all human laws; that is to say, no human laws should be suffered to contradict these.” Blackstone, \textit{Commentaries}, I, 42, quoted in Lillback, 476.
Since colonial days, Americans were in the habit of writing down their laws, leaving nothing to uncertainty. This became established American practice.\(^{87}\)

After the break with England, the Founders relied more upon Roman law than English common law. For one thing, it no longer made sense to argue on the basis of the rights of Englishmen. For another, the English common law provided no model for addressing issues between the states and the federal government.\(^{88}\) But the Founders did see a connection between natural law, common law, and the civil laws of Rome.\(^{89}\) Perhaps more importantly, the Anti-Federalists recognized that historically the British Parliament had acted to modify the common law.\(^{90}\) This is the reason that Anti-Federalists insisted that their liberty was not secured without a written Bill of Rights. The constitutions of the individual states and the Articles of Confederation—which the new Constitution would replace—all included a bill of rights in some form.

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\(^{88}\) Richard, *The Founders and the Classics*, 182.

\(^{89}\) Samuel Chase, Declaration signer and Supreme Court Justice, advised law students to “contemplate the maxims of the Law of Nature reduced to a practical system in the Laws of Imperial Rome, for he will find that the principles of the Common Law of England were borrowed from the Civil Law.” Richard, *The Founders and the Classics*, 182.

\(^{90}\) Mullett suggests that the Founders may have also come to realize that medieval common law recognized the rights of states to change and amend the common law. For this reason, it was in their interest to base their arguments instead on natural law. Mullett, “Medieval English Law and the American Revolution,” 538. In the debate on the Constitution, A “Prolix” made that observation, writing that the common law is “liable to legislative alterations.” A “Prolix” Comment on Mason’s “Objections”: James Madison to George Washington, New York, October 18, 1787, in Bailyn, *The Debate on the Constitution*, I: 351. See also “Agrippa” [James Winthrop] VI, *Massachusetts Gazette* (Boston), December 14, 1787, in Bailyn, *The Debate on the Constitution*, I: 517. “A Countryman,” on the other hand, used the same argument to argue that a bill of rights was unnecessary. Magna Carta, he said, could be as easily revoked as written. The quality of the men in Parliament was the reason the common law had not been amended. (“A Countryman” [Roger Sherman?] II—*New Haven Gazette* (Connecticut), November 22, 1787, in Bailyn, *The Debate on the Constitution*, I: 412-414.)
The Founders—both Federalists and Anti-Federalists—believed that the purpose or end of government was to secure natural and civil rights, to secure justice, and to promote the common good. As Samuel Adams said, the “grand end of civil government… is for the support, protection and defense of those very rights…[of] life, liberty, and property.”

One of the complaints against the king stated in the Declaration of Independence—given as one of the reasons for the revolution—was that King George “has refused his Assent to Laws, the most wholesome and necessary for the public good.” As noted in Chapter 1, Aquinas had similarly argued that law must be “nothing else than an ordinance of reason for the common good, made by him who has care of the community and promulgated.”

As the Anti-Federalist “Brutus” sensibly remarked, “[T]he means should be suited to the end; a government should be framed with a view to the objects to which it extends…” As Oliver Ellsworth—Federalist and member of the five-man committee who wrote the first draft of the Constitution—said, “The business of civil government is to protect the citizen in his rights, to defend the community from hostile powers, and to promote the general welfare. Civil government has no business to meddle with the private opinions of the people.” The prominent revolutionary James Otis, writing in 1764, said the “end of government” is “the good of

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92 Donnelly, “Natural Law and Right in Aquinas’ Political Thought,” 520.


94 “A Landholder” [Oliver Ellsworth] VII, Connecticut Courant (Hartford), December 17, 1787, in Bailyn, The Debate on the Constitution, I: 524. Zuckert describes the difference between natural rights and civil rights as the difference between negative and positive rights. The Americans constructed a republic that would create a government both strong enough to protect rights and limited enough prevent its infringement upon them. Zuckert, The Natural Rights Republic, 86-87.
mankind” and “above all things” it exists “to provide for the security, the quiet, and happy enjoyment of life, liberty, and property.”95 The same idea was expressed in the state constitutions.96

According to Billias:

The eighteenth-century notion of political happiness held that the good life was to be found only within the state that was spiritually and politically well-constituted… The purpose of government was, indeed, to secure the pursuit of happiness for its citizens by establishing a republican state in accordance with natural law and reason.97

Although Americans did not think that it was the task of government to define and provide for happiness, they agreed that one end of government was to “protect and promote its pursuit.”98

When the Anti-Federalists argued, with “the celebrated Montesquieu,” that a republic could not survive in an extensive area of land,99 they were basing their argument on a concern for the common good.100 Anti-Federalists like “Centinel” argued that a large government of “mixed


96 The widely-copied Massachusetts Constitution is one example. The 1784 New Hampshire Constitution offers another example: “…all government of right originates from the people, is founded in consent, and institutes for the general good” to “preserve liberty” through “justice” and the “virtues” of its officers and representatives.” Quoted in Sellers, *American Republicanism*, 190. “

97 Billias, Elbridge Gerry, xvii.


100 The common good, the Anti-Federalists argued, was best promoted in smaller regions where people shared the same interests and culture. See, for example, “Centinel” [Samuel Bryan] I, *Independent Gazetteer* (Philadelphia),
orders” would make it impossible for the people to know who was accountable or to locate “the sources of abuse or misconduct.” The opposite was also argued: Delegating power to representatives was the best way to serve the common good. The Preamble of the Constitution states that the purpose of the government is to establish justice. Madison stated in the Federalist, that justice was the proper end of government and the Anti-Federalists held the same view. If justice were not pursued and obtained, liberty would be lost. The state constitutions written during the Founding era listed justice as the first among first principles. For the Founders, justice was the link between private and public virtue. Federalist 55 says that if self-government is to be compatible with justice, the republic must rely on virtuous citizens who can recognize and choose justice over injustice. The Founders believed that “the formative influence of...a common culture,” was one means of ensuring justice, order and the common good in a democratic government.
The British historian Lord Bryce argues that the aim of the United States Constitution was to achieve the common good not so much by creating a good government as by creating a government that would “avert the evils which flow, not merely from bad government, but from any government strong enough to threaten the pre-existing communities or the individual citizen.”

Although Lord Bryce did not use the term, his position illustrates the Catholic concept of subsidiarity. Indeed, we can view one of the most strongly argued concerns of the Anti-Federalists—that the proposed strong central government would “annihilate the state governments”—in terms of subsidiarity. In agreeing to ratify the Constitution, many of the states insisted on the promise of a Bill of Rights that would put in writing the limits on the national or federal government. The Ninth Amendment of the Bill of Rights confirms that the rights listed are not the only rights that the people possess, and the Tenth Amendment indicates that the power granted to the federal government is limited.

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11 This principle holds that “nothing should be done by a larger and more complex organization which can be done as well by a smaller and simpler organization. In other words, any activity which can be performed by a more decentralized entity should be. This principle is a bulwark of limited government and personal freedom.” David A. Bosnich, “The Principle of Subsidiarity,” Acton Institute, Religion & Liberty, 6, no. 4 (2010).


13 “Z” Replies to Franklin’s Speech, Independent Chronicle (Boston), December 6, 1787, in Bailyn, The Debate on the Constitution, 7. “Z” wrote, “...there ought to be at least, an express reservation of certain inherent unalienable rights, which it would be equally sacrilegious for the people to give away, as for the government to invade.” “Centinel” said the omission of a bill of rights was an “an insult on the understanding of the people.” Reply to Wilson’s Speech: “Centinel” [Samuel Bryan] II – Freeman’s Journal (Philadelphia), October 24, 1787, in Bailyn, The Debate on the Constitution, 77. The states constitutions had bills of rights, although they were not always a separate section of the document.

Mason and Patrick Henry believed that the “genius” of a free society was found in its limited institutions and expressed by private and “independent men” in local communities. Thomas Jefferson had copied into his commonplace book the words of Tacitus: “The more corrupt the commonwealth the more numerous its laws.”

In their understanding of limited government, the Founders recognized that government and society, as John Dickinson said, are not synonymous terms. According to Dickinson, government is law, law which allows society to flourish. Society exists prior to government. Thomas Paine, writing in *Common Sense*, also observed the differences between government and society. Society, he wrote, “promotes our happiness positively by uniting our affections, the latter negatively by restraining our vices…Society in every state is a blessing, but government, even in its best state, is but a necessary evil.” In *Federalist* 51, Madison also differentiates between government and society. A free government is secure, he says, only when there is a “multiplicity of interests” in society.

**Required for Sustaining a Republic: Virtuous Citizens**

It was a truism in America during the Founding period that a republic required virtuous citizens. This is one of the lessons that the Americans had learned from the history of Greece

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116 Richard, *The Founders and the Classics*, 119 Something for Americans today to reflect upon.
118 Ibid. Jefferson wrote that “Man was destined for society” and that “The Creator would indeed have been a bungling artist, had he intended man for a social animal, without planting in him social dispositions.” Quoted in Garry Wills, *Inventing America: Jefferson’s Declaration of Independence*. (New York: Vintage Books, 1978), 187.
and Rome.\textsuperscript{122} As Vetterli and Bryner argue—and Alexis de Tocqueville famously observed—the new republic relied on the values and virtues that a state cannot teach, but that men learn in the primary institutions of society---families, schools, churches, neighborhoods and other mediating institutions.\textsuperscript{123}

There were two disputes between the Federalist and the Anti-Federalists on the matter of virtue.\textsuperscript{124} One concerned where virtue was to be found. The Federalists held that it was more likely to be found at the national level, while the Anti-Federalists held that it was more likely found in local institutions.\textsuperscript{125} The Federalists thought virtue would be found in the few; the Anti-Federalists believed it was to be found in the many.\textsuperscript{126} The other dispute concerned how best to achieve a virtuous society. Most Federalists believed that a well-structured government could preserve or even create virtue.\textsuperscript{127} Most Anti-Federalists believed that even the best form of

\textsuperscript{122}David Tappan, a Congregationalist minister and one of the most prolific writers in the Founding era, wrote in 1798 that the ancient history of Greece and Rome "experimentally show that virtue is the soul of republican freedom." David Tappan, \textit{A Discourse delivered to the Religious Society in Brattle Street}, Boston, 2d ed. (Boston, 1798), 18-19, quoted in Jennifer Tolbert Roberts, \textit{Athens on Trial: The Antidemocratic Tradition in Western Thought}. (Princeton, New Jersey: Princeton University Press, 1994), 178.


\textsuperscript{125}Himmelfarb argues that the relationship between virtue and political liberty was "at the heart of the quarrel between the Federalists and the Anti-Federalists. Himmelfarb, \textit{The Roads to Modernity}, 198-199 and 202.


\textsuperscript{127}Richard, \textit{The Founders and the Classics}, 147.
government could not create virtue. They relied instead on the virtue of the people. The best means for creating virtue in a republic, they said, was proper education and majority rule. Centinel, for instance, argued that a “republican, or free government can only exist where the body of people are virtuous” first. The Federalists, too, recognized the need for virtuous citizens. Madison, writing as Publius in *Federalist* 51, said that it was a “great republican principle...that the people will have virtue and intelligence to select men of virtue and wisdom. Is there no virtue among us? —If there be not, we are in a wretched situation. No theoretical checks—no form of Government, can render us secure.” George Mason, a leading Anti-

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128 Sellers, *American Republicanism*, 211. Cato wrote, “Where then is our republicanism to be found? Not in our constitution but merely in the spirit of our people. That would oblige even a despot to govern us republicantly.” Cato V, w.6.34, quoted in Storing, *What the Anti-Federalists Were For*, 99, n. 10.


132 *Federalist* 51. Bailyn, *To Begin*, 34,
Federalist, expressed the same idea: “Justice & Virtue are the vital Principles of republican Government.”

The question before the Founders was how to “motivate responsible civic behavior” in a self-governing republic. Self-government in a republic required citizens capable of the self-government of themselves. What was required was *civitas*, or civic virtue. The Founders read Livy and Plutarch for examples how to live lives of republican virtue. The history of Rome had provided them with evidence that not even a constitution could secure liberty if the people and the rulers were not virtuous. Both Montesquieu and Sidney reminded them of its lesson: liberty is not possible without virtue, and virtue is not possible without liberty. Hyneman says, “We must conclude from the documentary evidence that virtue as a deontological element in republican politics—that is, virtue as moral obligation, defining political life and the

135 Gilbert, “Editor’s Conclusion,” 251.
136 Civitas is the term Daniel Bell uses for the “spontaneous willingness to obey the law, to respect the rights of others, to forgo temptations of private enrichment at the expense of the public weal—in short, to honor the ‘city’ of which one is a member.” Daniel Bell, *The Cultural Contradictions of Capitalism* (New York: Basic Books, 1978), 245.
139 Sellers, *American Republicanism*, 123. Bailyn says the Founders believed that freedom depended on the virtue of both the rulers and the ruled. Bailyn, *To Begin*, 34.
political order—played a large part in the American founding throughout the founding period.”

Documents like Mason’s Virginia Declaration of Rights listed principles of individual and public conduct. Private virtues had public import. Washington, Wilson, Madison, Mason, Adams and the other Founders maintained that virtue was required if the republic were to survive. We find the same view in the Delaware ratification convention, where it was stated that the people could maintain their liberty only “so long as they were virtuous.” In New Jersey it was argued that the national government “derived from the ‘virtue’ and ‘patriotism’ of the people.” The Massachusetts Constitution stated that “the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety,

140 Hyneman, The American Founding Experience, 233; Billias, Elbridge Gerry, xiii. Vetterli and Bryner, In Search of the Republic, 1 and 4. As Vetterli and Bryner note, De Tocqueville was not the only foreign observer to remark on the morals, the character, the manners, the virtue, or the “genius” of the American people.

141 Hyneman, The American Founding, 220. See Section 15 of the Virginia Declaration: “That no free government, or the blessings of liberty, can be preserved to any people, but by a firm adherence to justice, moderation, temperance, frugality, and virtue, and by frequent recurrence to fundamental principles.” Vetterli and Bryner note that private and public virtue were joined in public documents. The Founders did not hold the classical republican idea that the state was the source of virtue. People learned to be virtuous in the primary institutions of family and religion and through voluntary organizations. Vetterli and Bryner, In Search of the Republic, xiv-xiii. Kopff says “the public cultivation of the virtue was considered indispensable” was not a new idea in political philosophy. E. Christian Kopff, “Open Shutters on the Past: Rome and the Founders,” in Vital Remnants: America’s Founding and the Western Tradition, ed. Gary L. Gregg II (Wilmington, Delaware: ISI Books, 1999), 106. John E. Ferling, Setting the World Ablaze: Washington, Adams, Jefferson, and the American Revolution. (Oxford: Oxford University Press, 2000), 125. Vetterli and Bryner, In Search of the Republic, 4 and 8.

142 Mary V. Thompson, “In the Hands of a Good Providence.” (Charlottesville: University of Virginia Press, 2008), 43.

143 Sellers, American Republicanism, 177.

144 Hyneman, The American Founding Experience, 233; Sellers, American Republicanism, 208. Storing, What the Anti-Federalists Were For, 72; Federalist 55. In his notes against establishment in Virginia, Madison wrote that government must establish “laws to cherish virtue.” Hunt, ed., The Writings of James Madison, vol. 6, 90, quoted in Vetterli and Bryner, In Search of the Republic, 140.

145 Mason’s draft of the Virginia Declaration of Rights listed principles of both individual and civic conduct deemed essential for the preservation of free government. Hyneman, The American Founding Experience, 220.

146 John Adams said that the success of the republic would not come easily-- it would require a pious and virtuous people.” Ferling, Setting the World Ablaze, 125.


149 Sellers, American Republicanism, 180.

150 Quoted in Sellers, American Republicanism, 190.
religion and morality.”151 “Without virtue,” John Adams observed, “people may change governments, but in so doing they only trade one tyranny for another.”152 As Marty observes, “Though they did not need to cite him, most [Americans] believed with Augustine that civil society must be rightly ordered (bene ordinata, bene constitua).”153

It was not enough, however, for only the people to be virtuous. To preserve liberty, rulers themselves must be virtuous and wise. 154 The liberty that had been won could only be preserved if the new government was well governed.155 They were aware that American citizens in general were the best educated in the world, something of immense importance to a free

153 Marty notes that although Augustine did not see the possibility of a real res publica (“because vera justitia, true justice, belonged only to the City of God), Americans were “more optimistic” and “[i]n this respect they were closer to the view of Thomas Aquinas, who smuggled into his Augustinian outlook the idea of Aristotle that public values are themselves to be valued, though Americans did not need a Christian state for expression of those values.” Martin E. Marty, Religion and Republic: The American Circumstance. (Boston: Beacon Press, 1987), 65. See for instance “Brutus” VII -- New York Journal, January 3, 1788, in Bailyn, The Debate on the Constitution, I: 692.
154 Madison, writing as Publius in Federalist 56, says, “‘The aim of every political Constitution is or ought to be first to obtain for rulers men who possess the most wisdom to discern and the most virtue to pursue the common good of the society; and in the next place, to take the most effectual precautions for keeping them virtuous, whilst they continue to hold their public trust.” Samuel Adams wrote that the people had a right to inquire into the character of those who sought public office. Corrupt men, he said, should not hold positions of public trust. (Samuel Adams to Elbridge Gerry, Oct. 29, 1775, in Writings of Samuel Adams, III, 229-232, in Billias, Elbridge Gerry, 62. In his speech at the conclusion of the Constitutional Convention on September 17, 1787, Benjamin Franklin said, “Much of the Strength and Efficiency of any Government, in procuring & securing Happiness to the People depends on Opinion, on the general Opinion of the Goodness of that Government as well as of the Wisdom & Integrity of its Governors…” Quoted in Bailyn, The Debate on the Constitution, 4. Madison noted in Federalist 10 that “Enlightened statesmen will not always be at the helm” but “in a large republic “it will be more difficult for unworthy candidates to practice with success the vicious arts.” Storing, What the Anti-Federalists Were For, 72.
people. An educated citizenry would not be “duped by artful and factious men, and led to do things destructive to their own rights and liberties.”

**The Meaning of Virtue**

Americans agreed, then, on the need for virtue in the republic. But virtue can have different meanings. In the Founding era, virtue was understood to mean individual responsibility and self-control in social and political obligations, which made self-government possible and contributed to the common good. As Hyneman says, it “implies a balancing of individualism with community concerns and a tempering of liberty and equality by the republican elements of virtue they identified.” De Tocqueville equated virtue with self-discipline, observing that it was virtue that made liberty possible in America. When Montesquieu wrote of the necessity of virtue in a republic, he equated virtue with love of one’s

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159 Hyneman, *The American Founding Experience*, 217. Gilbert says that “Virtue was evidently meant to speak to autonomous persons about the common requirements of ‘free’ self-government and a just, concordant, productive society. It did not spell communitarianism, but it did imply ‘commonality.’” This understanding, Gilbert says (n.1, 261), was “probably…not inconsistent with a reception of ‘Lockean individualism’—not that we are certain there was such a reception in the founding period or earlier or that the individualism of the Second Treatise was, as written, inconsistent with, say, Puritan conceptions of community.” Gilbert, “Editor’s Conclusion,” 251. Richard argues that the classical ideas of virtue were “a formative influence” on the Founding generation. Richard, *The Founders and the Classics*, 232. Vetterli and Bryner note the Christian aspect of the idea: that while the person is not subordinate to the state—and that the person exists prior to the state—he should voluntarily act with regard to the welfare of others. Vetterli and Bryner, *In Search of the Republic*, 79.

country and its laws. In a democracy, he says, virtue means love of equality. The best security of liberty, he said, was virtue in the people.

As Gilbert notes, virtue implies political community “both because there was a need for general agreement on private virtues and because ‘public virtue’ implied a public good,” what James Madison referred to as the “‘permanent and aggregate interests of the community.’” Lutz says that “…the classical Greek notion of virtue transmitted through Enlightenment authors was seen as congruent with the Christian concept of virtue.” Mason’s list of virtues—justice, moderation, temperance, and frugality—echoes the list of Roman virtues that the Founders had grown up with: “frugality, simplicity, temperance, fortitude, love of liberty, selflessness, and

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161 Montesquieu, *Spirit of Laws*, L. iv. Americans did not share Montesquieu’s view that equality required “frugality.”

162 Sellers, *American Republicanism*, 211. Many Founders—Jefferson being perhaps the best-known example—believed that a country composed of virtuous citizen-farmers was the best support of republicanism. Noah Webster took this idea a bit further, arguing, “The system of the great Montesquieu will ever be erroneous, till the words property or lands in fee simple are substituted for virtue, throughout his *Spirit of Laws*. Virtue, patriotism, or love of country, never was and never will be, till mens’[sic] natures are changed, a fixed, permanent principle and support of government.” Webster equated virtue with the classical emphasis on pride, “contempt of strangers and a martial enthusiasm.” “A Citizen of America” [Noah Webster] – Philadelphia, October 17, 1787, in Bailyn, *The Debate on the Constitution*, 158. More important than virtue, he argued, was the matter of interests. Liberty would be secure only when the interest of the “governors” was connected to or blended with the interest of the governed (Reply to the Pennsylvania Minority: “America” [Noah Webster] – *Daily Advertiser* (New York), December 31, 1787, in Bailyn, *The Debate on the Constitution*, I: 554. Samuel Adams said, “We shall succeed if we are virtuous.” Samuel Adams letter to John Langdon, Aug. 7, 1777. Quoted in Himmelfarb, *The Roads to Modernity*, 203.

163 Gilbert, “Editor’s Conclusion,” 251. *Federalist* 2 notes that American pluralism occurs in the context of community, “a band of brethren united to each other by the strongest ties.” Michael Sandel argues that we have lost this shared understanding and are left, instead, only with a “procedural republic”—a set of rules and procedures. See Michael J. Sandel, “The Procedural Republic and the Unencumbered Self,” in *Arguing About Political Philosophy*, ed. Matt Zvoninski (New York: Routledge, 2009), 219-228.

164 Lutz, *The Origins of American Constitutionalism*, 68, n. 16. See also chapter 1 in Gordon S. Wood, *The Creation of the American Republic, 1776-1787*. (Chapel Hill: Published for the Institute of Early American History and Culture at Williamsburg, Va., by the University of North Carolina Press, 1969). Richard wonders how we can even speak of an eighteenth-century “classical revival” since the classics had never waned. “The Founders,” he says, “differed from medieval monks in their greater access to a somewhat wider variety of classics, in their ability to obtain translations, and in the different manner in which they perceived and used the classics. But the clerics, whose principal language was Latin, had been no less classically oriented than the founders.” *The Founders and the Classics*, 185.

165 Selflessness, in the Roman sense of putting the state first, was not considered a virtue by the Americans. Alan Gibson, *Interpreting the Founding: Guide to the Enduring Debates over the Origins and Foundations of the American Republic*. (Lawrence, Kansas: University Press of Kansas, 2009), 20. “Americanus” made the contrast when he wrote that, for the Greeks and Romans, “The life of a citizen was one continued effort of self-denial and restraint. Every social passion—all the finer feelings of the heart—the tender ties of parent and child—every
honor.” Jefferson described virtue (following his favorite philosopher, Epicurus) as consisting of prudence, temperance, fortitude, and justice. These in turn are complimented by traditional Christian ethics, into which the classical virtues had been integrated.

In Chapters 5 and 6, we will explore further the connection between virtue and the common good, and the relationship between school communities and political community.


168 Vetterli and Bryner, *In Search of the Republic*, xv. Richard says that “Puritan ministers …had defended the classics against their few detractors by citing biblical passages (Timothy I;12; Acts 17:28; and 1 Corinthians 15:33) which quoted the ‘heathens’ and by arguing that ‘great moral truths may be found in Plato, Aristotle, Plutarch, Seneca, etc.’” Samuel Adams agreed. Richard, *The Founders and the Classics*, 185. Apart from the theological virtues of faith, hope and charity, the virtues of Thomas Aquinas are the virtues of Aristotle: justice, fortitude (or courage), temperance, and prudence. Vetterli and Bryner (4) say that faith, hope, and charity were part of the mix in defining virtue. See also Hyneman, *The American Founding Experience*, 212.
CHAPTER 5
OF STUDIES, SCHOOLS, BLACK BOXES AND CITIZENS

In a moment I will get to all the usual trappings of studies---the numbers, percentages, correlations and data that researchers work with and provide. But even more interesting, I think, are what we might call the interpretations of the researchers as they survey their findings. So we will begin with the eminent David Campbell, who has done extensive research in the areas of civic engagement, religion, and education policy, and then move on to the definitions, indicators, data, and comparisons that make up the studies on schools and good citizenship.\(^1\)

The question that Campbell poses comes, I think, very close to my proposition that ultimately Catholic anthropology—as it plays out in the school ethos—is the reason that Catholic schools excel at educating for American citizenship. Reflecting on years of citizenship studies, he says:

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“The $64,000 question is whether they [Catholic schools] are \textit{sui generis}, perhaps because of their religious profile generally or Roman Catholic character specifically.”
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But before proceeding further, a word on how this section is arranged.

I will look first at the studies that aim to define, identify and measure indicators of good citizenship. Next, I will review the studies that look for those indicators in schools. Exactly what happens in schools that promotes good citizenship remains mostly a puzzle to researchers, but

\(^1\) In this project I am not proposing that only Catholic schools turn out good American citizens. None of the studies examined here makes that claim. What they do consistently find is that Catholic schools generally do a superior job at the project of educating students who are more likely to vote, to volunteer and to have the attitudes and attributes related to good citizenship. Studies of private and/or religious schools and studies that compare public and non-public schools usually use data drawn from Catholic schools because most non-public schools are Catholic schools. Thus, this project is concerned with the research data and analysis available at the present time. Studies of the citizenship-promoting effects of other religious schools (for instance, Lutheran or Muslim) and of public charter schools await future educational researchers.

\(^2\) David E. Campbell, \textit{Why We Vote: How Schools and Communities Shape our Civic Life}. (Princeton: Princeton University Press, 2006), 113
they offer some educated guesses. After that, I will look at the studies that focus on nonpublic schools generally, and finally, the studies of Catholic schools and citizenship.

**Definitions and Indicators**

We can define and describe good citizenship in a number of ways. Aristotle said the citizen is a man who participates in making the laws of the State. Similarly—and much more recently—social scientists and political philosophers usually define the good citizen in one of two ways: a person who is actively involved in his or her community, or a person who participates in the political/electoral process. In fact, decades of studies have consistently shown that the key civic behaviors in adulthood are voting and volunteering. Further, these behaviors are closely intertwined and overlap. People who volunteer are more likely than non-volunteers to be voters.

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5 It is true that some scholars identify feelings and attitudes, rather than behaviors, as indicators of good citizenship. Those who argue for behaviors, however, make a more convincing case. Campbell says that “[t]olerance for diversity is a noble objective, and America’s educators should be applauded for having successfully integrated it into the education of today’s students. However, while tolerance is necessary for a vibrant democratic culture, it is not sufficient. Turnout among the youngest voters has declined, even as they have grown more tolerant; plainly, a sense of civic duty is also needed.” David E. Campbell, “Vote Early, Vote Often: The Role of Schools in Creating Civic Norms,” *Education Next* 5, no.3 (2005). Also, Dill, "Preparing for Public Life," 1270. Fleming, Mitchell and McNally note that, “While teaching tolerance creates the passive attitudes that promote social cohesion, civic skills give students the ability to act on these beliefs and take a participatory role in democracy. David J. Fleming, William Mitchell, and Michael McNally, "Can Markets Make Citizens? School Vouchers, Political Tolerance, and Civic
The best predictor of adult volunteering is having volunteered or participated in community service as a youth. 6 Campbell says the reason for this overlap is that volunteer activity builds social capital “and smooths the way for collaborative efforts, including efforts directed at effecting political change.” 7 Voting is arguably the best indicator of political participation. It is one of the most fundamental processes to American democracy and is the means by which the community legitimizes the government. 8 Without the political participation of its citizens—best exemplified by voting—democracy “lacks both its legitimacy and its driving force.” 9

**Education and Good Citizenship**

Schools have historically served the purpose of educating and socializing children for citizenship and much research has been carried out in order to explain how—or to measure whether—schools succeed in fulfilling this mandate. 10 The question, then, is what is it that some

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10 Supreme Court Chief Justice Earl Warren stated, “Today education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship.” Brown v. Board of Education, 347 U.S. 483 (1954). In 2013, Dr. Mabel McKinney-Browning, Chairman of the Campaign’s Steering Committee and Public Education Division Director at the American Bar Association, stated, “Civic Education was a principal reason for the establishment of a system of public education in our nation in the first place. And every recent reliable measure proves we are coming up short in this vital area of
schools do that make students more likely to grow up to be volunteering and voting adults.\(^{11}\) Campbell admits, “Even though political philosophers and policymakers have linked civic engagement to the political socialization of schools, political scientists consider the link between formal education and civic participation a black box.”\(^{12}\) The studies, however, do propose some answers.

Flanagan and Levin, in an echo of De Tocqueville, note:

Social incorporation into the body politic begins in the formative years through the opportunities that children and teens have as members of local organizations, exercising the rights and assuming the responsibilities associated with membership. In short, becoming a stakeholder in one’s society develops through the accumulated opportunities to be involved in groups that build civic identities and skills.\(^{13}\)

Perhaps surprisingly, the list of school factors that lead to future voting is quite long. We have already noted that volunteering is one of the strongest predictors. But also important are educational attainment—that is, the number of years of formal education—and academic achievement. Participation in certain kinds of student organizations and activities is also a factor, as is the acquisition and practice of civic skills. One of the most interesting sets of studies finds education.” Supreme Court Justice Sandra Day O’Connor was known for saying, that “knowledge about our government is not handed down through the gene pool. Every generation has to learn it, and we have some work to do.” \(^{11}\) “Sandra Day O’Connor Civic Learning Act of 2013’ Introduced,” Campaign for the Civic Mission of Schools: Educating for Democracy. [http://www.civicmissionofschools.org/news/2013-05-sandra-day-oconnor-civic-learning-act-of-2013-introd](http://www.civicmissionofschools.org/news/2013-05-sandra-day-oconnor-civic-learning-act-of-2013-introd).\(^{12}\) David E. Campbell, “Bowling Together: Private Schools, Public Ends,” *Education Next* 1, no. 3 (2001).\(^{13}\) Constance Flanagan and Peter Levine, “Civic Engagement and the Transition to Adulthood,” *The Future of Children* 20, no. 1 (2010): 166. Sidney Verba, Jay Lehman Schlozman and Henry E. Brady, *Voice and Equality: Civic Voluntarism in American Politics.* (Cambridge: Harvard University Press, 1995), 425. Keeter et al, *The Civic and Political Health of the Nation*, 34.
that schools that promote a sense of community and social trust, or that have established a civic climate, influence future voting behavior. Even more interesting is the positive effect on students who have established relationships with others in norm-bearing groups and their attendant external norms and sanctions.

The Studies

In their review of community service studies, Frisco et al conclude that “a growing body of work suggests that volunteering is a learned social behavior.” The effects of volunteering as a student are surprisingly long term. Beane et al, for example, found that adults who had participated in an urban planning community service project while in high school were more likely, 15 years later, to vote and to belong to volunteer organizations than were their high school peers. The major finding of a study by Hart et al was that both voluntary and school-required community service were strong predictors of adult voting and volunteering. Dill found that volunteering while in high school “is clearly the strongest predictor of volunteering later in life (2.14 odds ratio).” Youniss et al explain their findings this way: “Service allows youth to see

14 Michelle L. Frisco, Chandra Muller, and Kyle Dodson, "Participation in Voluntary Youth-Serving Associations and Early Adult Voting Behavior," Social Science Quarterly 85, no. 3 (2004): 660-76. The study suggests that volunteering is a learned social behavior “rather than an outcome of such characteristics as gender or race.”
16 Daniel Hart, Thomas M. Donnelly, James Youniss, and Robert Atkins, “High School Community Service as a Predictor of Adult Voting and Volunteering,” American Educational Research Journal 44, no. 1 (2007):197–219. Heinz Reinders and James Youniss, "School-Based Required Community Service and Civic Development in Adolescents," Applied Developmental Science 10, no. 1 (2006): 8. Reinders and Youniss suggest that not all volunteer activity is equally effective. They note that studies have defined “community service” in a great variety of ways, thus obscuring the fact that “service is not a homogeneous term but covers a variety of activities done for many purposes in multiple settings with diverse recipients.” Their study finds that the most effective community service involves direct participation with people in need. In another study, Youniss finds that students who believed that their service contributed to the mission of the sponsoring organization were more involved civically and politically one year later than students who did not feel their service had made a contribution. Youniss, “Civic Education: What Schools Can Do.”
17 Dill, "Preparing for Public Life,” 1280.
society as a construction of human actors with political and moral goals rather than as a distant, preformed object.”

Decades of empirical studies on civic or political engagement find a strong correlation between voting and educational attainment. It is considered “the best documented finding in American political behavior research.”

As William Galston notes:

To begin with, all education is civic education in the sense that individuals’ level of general educational attainment significantly affects their level of political knowledge as well as the quantity and character of their political participation.

Academic achievement is another indicator of volunteering and future political participation. Students who are doing better in school are more likely to volunteer. It is not

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21 Frisco, Muller, and Dodson, “Participation in Voluntary Youth-Serving Associations,” 660-676. Frisco notes that, “The success that teens find in their academic life is related to their likelihood of volunteering. We found that the higher their grade point average, the more likely it was that teens volunteered and volunteered regularly. The study found a particular distinction between those students who maintained an average grade of B+ or higher and those who reported a lower grade average. This distinction is particularly sharp in relation to regular volunteering. However, it is likely that the relationship of grades to volunteering is also part of a larger set of positive expectations and social networks for this group. Those students with high academic achievement may be more engaged in other activities, may have more opportunities to be asked to volunteer, and may feel more empowered to effect change in their community.” For example, 43% of students with a grade average of B+ or higher volunteered, compared to only 26% of those with grades averaging C or lower.
unreasonable to expect that academic achievement and attainment includes acquiring political
knowledge.22

Delli Carpini and Keeter observe that:

Individuals with higher levels of cognitive skill and contextual knowledge will tend to
learn much more about politics than will others. Cognitive skill and contextual
knowledge fall under the rubric of ‘ability’ and are strongly related to one’s level of
formal education. Indeed, education is the strongest single predictor of political
knowledge…23

Volunteering and educational attainment do not themselves, however, offer a satisfactory
explanation of the role of schools in making good citizens or—framed more narrowly—in
leading students to become voters. Scholars have found additional factors that predict future
voting. One of them is participation in certain kinds of student organizations. Instrumental
organizations—those that have a goal and typically demand an ongoing commitment of time,
energy and cooperation—produce the best results.24 Hanks finds that instrumental groups

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22 Delli Carpini and Keeter explain its significance:
“[I]formed citizens are demonstrably better citizens, as judged by the standards of democratic theory and practice
underpinning the American system. They are more likely to participate in politics, more likely to have meaningful,
stable attitudes, more likely to choose candidates who are consistent with their own attitudes, and more likely to
support democratic norms, such as extending basic civil liberties to members of unpopular groups. Differences
between the best- and least-informed citizens on all of these dimensions are dramatic. In our analysis, the impact
of political knowledge is independent of, and thus over and above, that of other factors as interest in politics and
political efficacy.” Michael X. Delli Carpini and Scott Keeter, What Americans Know about Politics and Why It
Work,” in Charters, Vouchers, and Public Education, eds. Paul E. Peterson and David E. Campbell (Washington,
Knowledge, Political Engagement,” 219 and 224.
23 Delli Carpini and Keeter, What Americans Know about Politics,” 266 and 271. The National Assessment of
Educational Progress (NAEP) reported that as of May 2011, only 25 percent of students demonstrated proficient
mastery of civics and government, ”’Sandra Day O’Connor Civic Learning Act of 2013’ Introduced,” Campaign for
sandra-day-oconnor-civic-learning-act-of-2013-introd
Schools Can Do,” 98-103 Michael Hanks, “Youth, Voluntary Associations and Political Socialization,” Social
Forces 60, no. 1 (1981): 213, 218, and 221. Controlling for other factors, Hanks, using data from the National
Longitudinal Study (NLS) of high school seniors, finds direct positive effects on discussion of issues, participation
in political campaigns and voting rates some two years later. There was also an indirect positive effect because it led
to participation in adult organizations. Hanks contrasts instrumental groups with what he calls expressive groups,
contribute to the development of skills and attitudes that lead to political activity in adulthood. In other words, students with a sense of efficacy, who felt as though their participation contributed to the good of the community in some way, were more likely to be future voters. Involvement in these “politically salient” youth organizations—which entail “activities of public speaking, debate, community service, community representation, and communal rituals” and networks of relations—have a positive effect 12 and even 15 and 20 years later.

The acquisition of civic skills is also linked to voting. Adults who possess civic skills are more likely to vote than adults who do not. Most people learn these skills—which include such things as holding meetings, engaging in debates and discussions, writing letters to someone they do not know, and speaking before a group—in school. School is the place where students have the opportunity to practice democratic governance. Schools that encourage voting-promoting activities create a sense of community and develop social trust between and among students, teachers and administrators. These schools establish norms, including civic norms. They help

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Verba, Schlozman and Brady, Voice and Equality, 425. Keeter et al, The Civic and Political Health of the Nation, 32. Keeter et al find that participation in these kinds of activities are more closely linked to later voting than is course requirements to follow political and national affairs.
students to develop civic skills and to understand what it means to be a citizen. They do this consistently and thus promote good citizenship through habituation.  

Anderson notes that these factors are all related. A sense of community affects an array of political behaviors.

Theoretically it is quite reasonable to assume that social forces should play a role in influencing levels of efficacy and trust. Context research and social capital research highlights the potential importance of social contexts (i.e., the community) on political behavior and attitudes--- those such as trust and efficacy for example. It is entirely rational, therefore, to hypothesize those social forces--such as community--will affect efficacy (internal and external) and trust (social and political). Sense of community at its very core suggests collaboration. Central to the completion of any collective effort—the likes of which church groups, service organizations, and workplace environments undertake—is cooperation. One of the cornerstones of building trust is cooperation (Putnam, 2000), thus the greater one's sense of community the more likely they are to be trusting. Second, sense of community is built on relationships. Those who are successful in building relationships with others and in influencing the opinions of fellow members, coworkers, or neighbors might be encouraged to believe that they can also be influential in the political arena. In other words, those with higher levels of sense of community may be more likely to have strong feelings of efficacy.

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29 Mary R. Anderson, "Community Psychology, Political Efficacy, and Trust," Political Psychology 31, no. 1 (2010): 61. Hart et al note that “Volunteer activity builds social capital, and smooths the way for collaborative efforts, including efforts directed at effecting political change.” Hart et al “High School Community Service,” 202. Putnam favorably cites Coleman and Bryk’s view that Catholic schools succeed, not because the students and teachers are “more qualified,” but because they benefit from the social capital characterized by trusting relationships. Putnam, Bowling Alone, 304. In a section titled “A Striking Contrast in Urban Catholic Schools,” Bryk and Schneider note the effects of the reciprocal trust between Catholic school teachers and the parents who place their children in Catholic schools. Parents, they find, “relied on the judgment and expertise of the staff, who in turn worked under a moral obligation to act in the best interest of their students.” This worked to the benefit of the students. “The support that Catholic schoolteachers received from parents helped them to sustain a high level of commitment to the difficult task of education disadvantaged youth. Teaching in these schools not only was a technical act, it also was a moral imperative. Faculty felt a strong sense of responsibility for student learning and welfare, and this collective commitment was recognized and valued by parents. The reciprocal character of the trust relations between teachers and parents made demands on teachers to act ethically, and on parents to support and encourage the work of the school. Since parents trusted the intentions of the staff, many potentially contentious issues never developed into conflicts. When misunderstandings did occur, they often were resolved quickly. Overall, the absence of suspicion and distrust in these schools was a key element in their operations and played an important role in their special effectiveness.” Anthony S. Bryk and Barbara Schneider, Trust in Schools: A Core Resource for Improvement. (New York: Russell Sage Foundation, 2002), 7.
Crystal and DeBell note that citizenship and community have been inextricably intertwined since the time of the ancient Greeks. They find that the relationship between interpersonal trust and civic orientation obtains among students as young as 11 years old. Other studies support this, finding that youth who were the least trusting were less likely to vote, while students with a high sense of efficacy were 20% to 30% more likely to vote than their peers. Knack found that voting was not affected by a cynical or distrustful view of government, but that social trust—trust in people—was highly correlated with voting. The decision to vote, he says, is based on solidarity.

Campbell finds that the civic climate in high school has a great impact on voting for at least 15 years after leaving school.

What matters is that an adolescent’s community, defined in this case as the high school, is populated with a high percentage of peers who express their belief that voting is an indicator of good citizenship. In fact, after accounting for the civic climate of an individual’s high school, an individual’s own belief that voting is a civic duty does not have an impact on voting as an adult. Individuals do not act, nor are they acted on, in isolation. Rather, norms are inculcated within communities, such as the family, the neighborhood, and the school. And those norms reach into the future.

Similarly, Hollenbach says,

Participation in democratic life and the exercise of real freedom in society depend on the strength of the communal relationships that give persons a measure of real power to shape their environment, including their political environment.

30 Crystal and DeBell, “Sources of Civic Orientation Among American Youth,” 125.
People who have strong interpersonal relationships—and the external norms and sanctions that they create—are more likely to vote. At the same time, participation in norm-bearing groups during youth has a positive influence on civic behavior years later and helps students to develop civic identity during “an opportune moment in its formative stages.” People who say that being a good person fulfills their civic obligation vote less than those who say that voting is a civic responsibility.

**Private Schools and Education for Citizenship**

Some political theorists hold that nonpublic schools are unable to teach democratic values effectively, but research does not support this view. Fleming et al and Greene, for instance, find otherwise. Greene et al conclude that “no systematic evidence exists to support the claim that government control of schools is important for achieving this goal [of transmitting civic values].”

Nevertheless the belief that public schools are better at imparting desired civic values persists despite conscious efforts on the part of Catholic and other private schools to

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36 Youniss et al, "What We Know About Engendering Civic Identity," 621 and 624.
provide a quality civic education and despite a lack of an empirical basis for this belief. It is still widely held that public goals in civic education are best served by public schools, while private schools operate for the benefit of parochial interests.41

Greene et al maintain that because nonpublic schools are voluntary associations, “it is likely that they more closely represent the true polis, with active community and parental involvement in the life of the school [whose] smaller, more autonomous structure aids in their teaching effectiveness [and] may also facilitate an informal democratic process.”42 In what might at first seem counter-intuitive, Chubb and Moe maintain that because public schools are under public control and mired in bureaucracy, they are not true communities and thus cannot be true models of deliberation and are, in fact, antithetical to democratic deliberation.43 Greene has compared the effectiveness of private and public schools in teaching civic norms and finds that private schools do at least as good a job as public schools in producing good citizens.44 Godwin, Ausbrook and Martinez found that private schools do a better job than public schools of

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44 Greene, “Civic Values in Public and Private Schools,” 83-106. He finds that private schools are doing a better job of integrating students of different races, teaching tolerance and “imparting a sense of public spiritedness.” (84). Smith and Sikkink, in a study that differentiated between public schoolers, Catholic schoolers, non-Catholic church-related schoolers, nonreligious private schoolers, and home schoolers, surveyed a large, nationally representative sample of parents of school-age children. They found that families whose children did not attend public school were more involved in their communities and public life. They concluded that “Private schooling, it turns out, is anything but privatizing.” Christian Smith, and David Sikkink. "Is Private Schooling Privatizing?” First Things: A Monthly Journal of Religion & Public Life, no. 92 (1999): 16-20.
encouraging interethnic friendships and developing democratic norms.\textsuperscript{45} In a later study, Godwin et al compared the civic attitudes of high school students attending public and fundamentalist Christian schools. They found that the Christian schools did as well as—and in some measures surpassed—their public counterparts in instilling the values of a liberal democratic society.\textsuperscript{46}

\textbf{Catholic Schools and Education for Citizenship}

As I have shown in Chapter 3, the idea of Catholic schools creating good Americans was—to say the very least—contested. In this section, we will look first at the findings of what came to be known as the Catholic school effect—studies which were also contested—and then consider more recent studies. As Gerald Grace has observed, “There still seems to be a ‘secret garden of Catholic education research’ known, in general, only to the cognoscenti.”\textsuperscript{47}


\textsuperscript{46} Godwin lists values appropriate for citizens in a pluralistic liberal democracy as: “support for democratic norms, political tolerance, moral reasoning and autonomy, duty to the community and acceptance of nontraditional lifestyles.” The fundamentalist Christian school students were less accepting of nontraditional lifestyles. R. Kenneth Godwin, Jennifer W. Godwin, and Valerie Martinez-Ebers, "Civic Socialization in Public and Fundamentalist Schools," \textit{Social Science Quarterly} 85, no. 5 (2004): 1097-1111.

\textsuperscript{47} Grace, \textit{Catholic Schools: Mission, Markets and Morality}, xi. Grace argues that it impossible to have a significant understanding of Catholic schools without engaging with their theological and social foundations, the historical and cultural context that shaped them, and their relation to the institution of the Roman Catholic Church (4). This is something that scholars for the most part have failed to do. Grace suggests four reasons (in addition to a shortage of scholars in Catholic education research): the idea that Catholic schools are a privileged sector, and very different from public schools; the assumption that Catholic schools exist to serve Catholics only; the idea—for which he blames the influence of books by popular authors including James Joyce and Frank McCourt—that Catholic schools are authoritarian institutions that indoctrinate, rather than educate children; and, finally, the marginalization of religion by our secular culture, especially in the worlds of academia and the media (xi-xii). As recently as the year 2000, Peterson and Campbell, writing about school choice, could say that the effect of non-public schools on civic education was “a neglected, but still extremely important, topic.” Paul E. Peterson and David E. Campbell, “Introduction: A New Direction in Public Education?” in \textit{Charters, Vouchers, and Public Education}, eds. Paul E. Peterson and David E. Campbell (Washington, D. C.: Brookings Institution Press, 2001), 14. Interestingly, in the year 2000, Stephen Macedo could state that, “The comparative success of different types of schooling at teaching civic values is not much studied, but today’s Catholic schools do not appear detrimental to the achievement of our civic aims.” Stephen Macedo, \textit{Diversity and Distrust: Civic Education in a Multicultural Democracy}. (Cambridge, Massachusetts: Harvard University Press, 2000), 234-235.
The Catholic School Effect

When in 1966 the federal government commissioned the prominent sociologist James S. Coleman to undertake the first study of the nation’s schools, they expected findings that would help them craft policies that would improve the quality of American education. Instead, his report, *Equality of Educational Opportunity* (known as the Coleman Report), set off a firestorm. What Coleman and his colleagues found was that school itself had little effect on a child’s academic success.48 What mattered, they concluded, was the child’s family and the socio-economic and cultural context of the home. 49 While the original Coleman report did not single out Catholic schools, it did find that the “the average minority student… is more affected by the quality of his school than the average white pupil.”50 The studies that his report generated sought to determine the characteristics of effective schools.

In the 1970s, the U.S. government sponsored a large-scale study of the nation’s high schools. Coleman was again the lead researcher and this time he and his colleagues set out to compare public and private schools. The great majority of the private schools were Catholic. The

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48 As Egalite describes it: “On the weekend before the Fourth of July 1966, the U.S. Office of Education quietly released a 737-page report that summarized one of the most comprehensive studies of American education ever conducted. Encompassing some 3,000 schools, nearly 600,000 students, and thousands of teachers, and produced by a team led by Johns Hopkins University sociologist James S. Coleman, “Equality of Educational Opportunity” was met with a palpable silence. Indeed, the timing of the release relied on one of the oldest tricks in the public relations playbook—announcing unfavorable results on a major holiday, when neither the American public nor the news media are paying much attention. “To the dismay of federal officials, the Coleman Report had concluded that “schools are remarkably similar in the effect they have on the achievement of their pupils when the socio-economic background of the students is taken into account.” Or, as one sociologist supposedly put it to the scholar-politician Daniel Patrick Moynihan, “Have you heard what Coleman is finding? It’s all family.” Egalite continues, “… Indeed, less than a year before the Coleman Report’s release, President Lyndon Johnson had signed the Elementary and Secondary Education Act into law, dedicating federal funds to disadvantaged students through a Title 1 program that still remains the single largest investment in K–12 education, currently reaching approximately 21 million students at an annual cost of about $14.4 billion.” Anna J. Egalite, “How Family Background Influences Student Achievement,” *Education Next* 16, no. 2 (2016).


1982 report of Coleman, Hoffer and Kilgore found that attending a Catholic school resulted in higher academic achievement, especially for disadvantaged students, a phenomenon they called the “Catholic school effect.” The reason for the Catholic school advantage, they said, was the relationships (between and among students and their peers, students and teachers, students and coaches, students and parents of other students) which created social capital embedded in functional communities that reinforced civic norms. Their finding of a Catholic school advantage was so startling and controversial that—in addition to the very numerous individual journal articles that were and continue to be published in response—academic journals devoted special issues to their research on at least six occasions.


52 Campbell says that the concept of social capital provides a link between the literature on academic instruction (as developed by Coleman) and civic engagement (as employed by Putnam). Campbell, “Making Democratic Education Work,” 245. Critics of the 1982 Coleman study questioned their finding of a correlation between Catholic schooling and civic outcomes, proposing instead that effect was due to the nature of the family or the shared norms and beliefs of the community. See Thomas S. Dee, “The Effects of Catholic Schooling on Civic Participation,” *International Tax and Public Finance* 12 (2005): 607-608. Bryk, Lee, and Holland. *Catholic Schools and the Common Good*, 312-16.

The original studies that found the Catholic school advantage or effect were interested in the issue of academic achievement.54 Researchers have consistently found that attending Catholic school significantly increases the probability of finishing high school and enrolling in a four-year postsecondary institution.55 Neal found a striking 26 percentage point increase for

urban minority students. Evans and Schwab found that for the typical student, attending a Catholic high school increased the probability by thirteen percentage points.

This project is not concerned with academic achievement or educational attainment per se, but instead as predictors of future voting. Catholic school students are also more likely than other students to volunteer and participate in community service. Campbell’s findings, as described in “What You Do Now Depends on What You Did Then,” and “What You Do Now Depends on Where You Where Then,” provide evidence that adolescents who volunteer are

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57 William N. Evans and Robert M. Schwab, “Finishing High School and Starting College: Do Catholic Schools Make a Difference?” The Quarterly Journal of Economics 110, no. 4 (1995): 941-974. Evans and Schwab found “…for the typical student, attending a Catholic high school raises the probability of finishing high school or entering a four-year college by thirteen percentage points. …we find almost no evidence that our single-equation estimates are subject to selection bias.” Coleman said, “It is also true, though not presented here, that the lack of social capital in the family makes little difference in dropout rates in Catholic schools—or, in the terms I have used, social capital in the community compensates in part for its absence in the family. See Coleman and Hoffer, Public and Private High Schools, chapter 5. James S. Coleman, “Social Capital in the Creation of Human Capital,” American Journal of Sociology 94 (1988): S95–S120, note 7 on S115.
more inclined to volunteer and to vote even 10 years after high school. The positive findings for Catholic schools in this matter are consistent. In fact, Campbell notes, it is rare in social science research to replicate the same findings as has been the case in studies of Catholic schools and civic engagement.

Campbell finds that:

Catholic schools contribute almost twice as much to a student volunteering as does raising a parent’s educational level from a high-school diploma to a college degree. There is no statistically significant difference between students in assigned public schools and those in secular private, magnet public, or religious/non-Catholic schools.

Others have come to the same conclusion. Schneider et al found that, compared to private nonreligious schools, Catholic schools are more successful in involving their students in community service. Catholic school twelfth-graders had higher levels of altruistic participation. As others have found, these effects are independent of family and peer influences. Belfield concludes that switching from a public school to a Catholic school has a greater effect on participating in community service than moving up in household income or parental education levels.

60 Comparing a set of studies, Coleman observes that,” Few findings in social science can be replicated in five independent sources of data (six, if you count the Washington and Dayton surveys separately). In short, it seems that strong evidence has accumulated that private—particularly Catholic—schools are a private means to the very public end of facilitating civic engagement.” Campbell, “The Civic Side of School Reform.” Campbell, “Bowling Together.”
61 Campbell, “The Civic Side of School Reform.” “… Catholic schools contribute about as much to the likelihood of students’ providing community service as does having a parent or guardian in the home who participates in community service (which also increases the share of students participating in volunteer activity by about 11 percentage points).” Schneider et al reach the same conclusion, using data from NELS, the National Educational Longitudinal Study of 1988, a nationally representative sample of the high school class of 1992 that followed respondents from 1988 (8th grade) through 2000. Barbara Schneider, Lisa Hoogstra, Fenghin, Chang, and Holly Rice Sexton, “Public and Private School Differences: The Relationship of Adolescent Religious Involvement to Psychological Well-Being and Altruistic Behavior,” in School Sector and Student Outcomes, ed. Maureen T. Hallinan (Notre Dame, Indiana: University of Notre Dame Press, 2006), 92-93.
63 Belfield, "Democratic Education Across School Types," 43
Catholic school students also participate more than other students in school-day and extracurricular activities that lead to future voting. Catholic school students acquire more political knowledge, another strong predictor of voting. Schools that foster civic norms provide students with the opportunity to practice civic skills, which allows students to develop a sense of citizenship. Perhaps not surprisingly, Catholic school students excel in this measure of citizenship.

In a study of high school social studies teachers, Catholic school teachers reported a more positive school atmosphere for conveying the importance of citizenship (82% compared to 37% for public school teachers). They also reported that their schools maintained an atmosphere where adults were respected (88% versus 65%) and encouraged student participation in student government and other issues-oriented clubs (91% compared to 73%). Dill submits that the

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66 Marks and Kuss, “Socialization for Citizenship Through Community Service,” 379. Hollenbach says that participation in democratic life and “the exercise of real freedom” in society depend on the strength of communal relations. These relationships give people the power to shape their environment, including their political environment. Hollenbach, “The Common Good, Pluralism, and Catholic Education,” 94.

67 Civic skills include such activities as writing letters, giving oral reports or using persuasion. Fleming, Mitchell and McNally, “Can Markets Make Citizens?” 213-236. Levin and Belfield, “The Marketplace in Education,” 210-211. Campbell, “The Civic Side of School Reform.” Peterson and Campbell find that “…with a few exceptions, private (especially Catholic) schools do a better job than public schools in offering instruction in civics—whether measured by participation in community service, political knowledge, civic skills, or political tolerance.” Peterson and Campbell,” Introduction: A New Direction,” 14. Hallinan, “Conclusion: Catholic Education at the Crossroads,” 201-220. Glenn and Glenn suggest that, “There is reason to believe that schools that are morally coherent tend to be more effective in providing instruction as well as education.” Glenn and Glenn, “Making Room for Religious Conviction,”102.

argument that Catholics schools cannot teach democratic norms “is grounded in theory more than data.”

Hess et al concluded that it was school climate—the “combination of enforced expectations of student behavior and professional autonomy”—that produced the Catholic school results. They noted:

It is a bit ironic: Catholic schools have a reputation for a regimented, no-nonsense school atmosphere, but they also give their teachers greater latitude when it comes to their instructional regimen and imparting values.

Others have come to the same conclusion. Chubb and Moe argue that Catholic schools, despite their “famed Catholic hierarchy,” not only outperform public schools academically, but are more democratic than public schools because of the decentralized authority of the school principals.

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69 Dill, “Preparing for Public Life,” 1265-1290. Greene et al conclude, “At the very least, the long-held assumption that government-operated schools are an essential part of making good citizens needs to be reconsidered. Greene, Giammo, and Mellow, “The Effect of Private Education,” 53-67.

70 Hess, et al, “High Schools, Civics, and Citizenship.” See also Mary Peter Traviss, “Research on Administration, Leadership, and Governance,” in Handbook of Research on Catholic Education, ed. Thomas C. Hunt, Ellis A. Joseph, and Ronald J. Nuzzi (Greenwich, Connecticut: Information Age Publishing, 2001), 102. Hannaway noted a difference between “the work life” of public school and Catholic school teachers. Among her findings was that the latter group reported a greater sense of professional efficacy, exercising more control over school level and classroom practices. The also reported that their school environment created a greater sense of collegiality and community. Hannaway, “The Organization and Management,” 477-79.

71 See, for instance, Bryk, Lee, and Holland, Catholic Schools and the Common Good, Chapter Six.

72 “The famed Catholic hierarchy plays, by public sector standards, very little role in setting school policy.... On all five dimensions [curriculum, instruction, discipline, hiring and firing], the influence of administrative [central office] superiors is far less in Catholic than public schools.” Chubb and Moe, Politics, Markets and America's Schools, 211. The cognoscenti often refer to Catholic schools as a system of education rather than as a Catholic school system. Catholic schools share a unifying philosophy, but not a uniform or hierarchical governance. As Youniss explains, there is no one official Church body that is responsible for the administration of Catholic schools. It is more accurately described as “a criss-cross pattern of authority.” The bishop is canonically in charge of the schools within his diocese. There are approximately 174 dioceses and so 174 seats of authority. Each parish pastor within the diocese shares in authority over his parish school. In addition, there are the many schools operated by and under the jurisdiction of religious orders. James Youniss, “Introduction,” in Catholic Schools at the Crossroads: Survival and Transformation, ed. James Youniss and John L. Convey (New York: Teachers College, Columbia University, 2000),4. R. Kenneth Godwin and Frank R. Kemerer, School Choice Tradeoffs: Liberty, Equity, and Diversity. (Austin, TX: University of Texas Press. 2002), 10-11. See also Hannaway, “The Organization and Management,” 467-68.
Civic values and behaviors have been found to be linked to whether or not students feel that they are part of a community. A study by Guerra et al found that for Catholic school students:

…establishing oneself as a contributing member of society—was ranked high as a life goal for all students in these low-income serving schools regardless of the students’ family income. …And, in an interesting analysis of correlations, school climate factors [e.g., community, morale, nurturance] …predicted value and religion outcomes better than course work. In short, this study offers additional support for the conviction that student values are strongly influenced by the experience of school as community.73

Others have arrived at the same conclusion. In Chapter 1, we noted the importance of community in Catholic anthropology and in Chapter 6 will examine the concept of person-in-community. An introduction to the idea is the statement of Bryk et al, who find evidence of the concept in Catholic schools:

…Catholic schools’ educational philosophy of person-in-community and their ethical stance of shaping the human conscience toward personal responsibility and social engagement. …[and] these religious understandings order daily life and its outcomes in very appealing ways. It is not narrow, divisive or sectarian education but rather an education for democratic life….74

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73 Quoting from Michael J. Guerra, “The Heart of the Matter,” in Catholic High Schools: Their Impact on Low-Income Students. A Project of the National Education Association. (Washington, D.C.: National Catholic Educational Association, 1986). In discussing school environment, references are often made to a school’s climate, ethos, or culture. In addition, some look at the school’s milieu (the characteristics of the people in the school) and the school’s ecology (the physical and material traits of a school, including such things as the size and features of the building). Rutter, possibly the first to use the term ethos in terms of school effectiveness in his landmark study of secondary schools in England, defined it as the school’s history, tradition, philosophy, and teachers. Michael Rutter, Barbara Maughan, Peter Mortimore, and Janet Ouston, Fifteen Thousand Hours: Secondary Schools and Their Effectiveness on Children. (Cambridge, MA: Harvard University Press, 1979). See discussion in Convey, Catholic Schools Make a Difference, 89-90. Rutter concluded that school culture—its underlying norms and values and traditions—contributed to academic achievement. Daniel U. Levine and Lawrence W. Lezotte, Unusually Effective Schools: A Review and Analysis of Research and Practice. (Madison, WI: National Center for Effective Schools Research and Development, 1990), 5. See Convey, Catholic Schools Make a Difference, 89-90. Culture is defined variously as: the way we do things around here” (Marvin Bower’s famous phrase); the shared values and beliefs of a community (Deal and Peterson); or—most elegantly—the web of significance in which we are all suspended (Geertz). Discussion in Deal and Peterson, Shaping School Culture, 3. Terrence E. Deal and Kent D. Peterson, Shaping School Culture: The Heart of Leadership. (San Francisco: Jossey-Bass, 1999). Marvin Bower, The Will to Manage: Corporate Success Through Programmed Management. (New York: McGraw-Hill, 1966). Clifford Geertz, The Interpretation of Cultures. (New York: Basic Books, 1973), 5.

74 Bryk, Lee, and Holland, Catholic Schools and the Common Good, 275 and 341. Campbell says, “School communities with strong civic norms foster a sense of civic duty that increases voter turnout in its members many years after leaving school. The communal social norm that values voting has a greater effect on future political engagement than does the school’s formal curriculum. The civic climate of a school and the shared belief that to be a good citizen one must vote, increases the probability of voting 15 years later. Campbell finds that while the civic
These studies reaffirm Coleman’s earlier finding that relationships create social capital embedded in functional communities that reinforce civic norms. Annette, reviewing the literature on faith schools, builds on this idea. “The ethos of the school,” he says,

can be seen as representing a set of norms or values developed through activities in the school and the local community which are also based on a faith tradition of the common good or social justice. This ethos, however, also encourages students to become more active citizens and to develop civic engagement.

Campbell’s argument that civic behaviors—especially voting—are the best indicators of good citizenship is very much in keeping with the argument here, but the presence of civic norms that value voting is not unrelated to other observed democratic values and attitudes. Although they are not the focus of this project, I will note here that innumerable studies have found that

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75 Coleman, Hoffer, and Kilgore, High School Achievement, 1982. Hollenbach says, “Participation in democratic life and the exercise of real freedom in society depend on the strength of the communal relationships that give persons a measure of real power to shape their environment, including their political environment.” Hollenbach, “The Common Good, Pluralism, and Catholic Education,” 94. Coleman makes a distinction between two types of communities in which social networks develop, value communities and functional communities. In the first type, people share a value system on at least one measure. For instance, parents who send their children to a Montessori school or a military academy share at least one value that prompts them to enroll their children in those schools. A functional community enforces the norms that unite a value community, something made possible by regular or even daily contact among its members. Social capital, Coleman says, is created when these two types of communities overlap. In short, value communities are necessary, but not sufficient, to create social capital. Although a neighborhood public school might be part of a functional community, debates over school policies and curricula indicate that they are not necessarily a value community. Only Catholic schools, Coleman says, consistently combine both. Campbell, “Making Democratic Education Work,” 345. Coleman and Hoffer, Public and Private Schools. Putnam’s view of social capital stresses the idea of reciprocity, which reinforces trust and leads to collaboration. Putnam, Bowling Alone, 135, 288, 290. See also Laura Blackwell Clark and Claire E. Smrekar, “Because We Are Catholic”: The Social Context of Catholic School Identity,” in Catholic Schools in the Public Interest: Past, Present, and Future Directions, ed. Patricia A. Bauch, O.P., (Charlotte, N.C.: Information Age Publishing, Inc., 2014), 176. The authors observe that while non-Catholic parents are not part of the Catholic parish (the functional community), their children share the benefits of the value community. The parents are committed to the values of the school that they have intentionally chosen.

Catholic schools also excel on those measures of good citizenship that include interethnic friendships and racial and political tolerance.\textsuperscript{77}

Campbell notes that:

\begin{quote}
…Catholic schools in particular excel in providing a civic education to their students, which is ironic given that Catholic schools were originally established as an alternative to the public school—the institution designed to teach a common set of civic values.\textsuperscript{78}
\end{quote}

### The Researchers’ Puzzle

What Campbell has called the black box of schools seems to apply especially to Catholic schools. Greene, for example, notes that while he finds that Catholic schools are more effective in promoting desired political values, it is not clear from his research which attributes of the school are responsible.\textsuperscript{79} Perhaps researchers cannot be blamed for not being able to find the key, because what they are looking for is something that is invisible.


\textsuperscript{78} Campbell, “The Civic Side of School Reform,” 34.

\textsuperscript{79} Greene, Mellow and Giammo, “Private Schools and the Public Good,” 429-43.
According to Gerald Grace:

A visible pedagogy of direct religious teaching and of instruction in the Catechism has always co-existed with an invisible pedagogy and hidden curriculum of Catholic personal formation in faith shaped by the whole-school environment, its ethos, rituals and value climate.  

He adds:

Schools are not scientific laboratories. They are, crucially, person-forming, citizen-forming and society-forming institutions, and as such they always have been and they are likely always to be, influenced by external ideologies of various types—religious, secular, humanist, political, atheist.

Benson and Guerra concur:

There would be no particular need for Catholic schools if the task of education were simply to train and nurture the mind. The fact, confirmed by recent research, that Catholic schools promote academic outcomes as well as or better than their public counterparts is not sufficient to justify their existence. It is commitment to heart and spirit, as well as mind, that gives Catholic schools a unique and vital mission. The effective Catholic school is one that nurtures a life-orienting faith; it fulfills an academic purpose and simultaneously promotes disposition to service, sparks a passion for justice, and creates a commitment to community. These essential aspects of its mission are often called value or religious formation.

While some scholars—most notably, perhaps, Bryk—suggest that secular schools can—by adopting just the right combination of the Catholic school attributes that researchers have identified—replicate the success of Catholic schools, others are not so sure. Evans and Schwab doubt that “the lessons we learn” from Catholic schools can be applied to other private schools—

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80 Grace, Catholic Schools: Mission, Markets and Morality, 50. Grace defines hidden curriculum as “the ways in which school ethos, organization and practice educate pupils in addition to the outcomes of the formal taught and visible curriculum” (248). See also Bryk, Lee, and Holland, Catholic Schools and the Common Good.

much less public schools—because in many ways Catholic schools are “fundamentally different.”

Guerra says:

Although Bryk argues that the moral ideals generated by the Catholic school's religious identity could be derived from secular postulates in a government school, there is little evidence to suggest that American public education can sustain a coherent vision that acknowledges "full development of each student's mind and spirit" and "a just social world" within the prism and prison of "secular pluralism." 

The Catholic understanding of the person and view of the common good, which I examined in Chapter 1, provide a basis for a sense of loyalty and responsibility to the community, which—as we have seen in this chapter—in turn promotes democratic citizenship.

Further, it contributes to the ethos that makes Catholic schools successful in turning out—generation after generation—good American citizens. In Chapter 6, I will take a closer look at the concept of ethos and of the theological basis for Catholicism’s stress on the importance of community. I will also examine, through a more philosophical lens, the role of several factors referred to in this chapter: rituals, norms, and sanctions.

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82 Evans and Schwab, “Finishing High School and Starting College,” 972. They have ruled out selection bias.
84 McLaughlin, “The Distinctiveness of Catholic Education,” 147.
85 Terence McLaughlin notes that although statements from papal encyclicals and other documents can be cited, a full understanding of the underlying principles the Catholic school requires “attention to the full range of thinking of the Church.” McLaughlin, “The Distinctiveness of Catholic Education,” 140-145, 139.
CHAPTER 6
OF ETHOS AND THE UBIQUITOUS BOTH/AND

In this section, I will hone in on the concept of “ethos” as I am using it in this project. In the social sciences, especially as they relate to sociology and anthropology, ethos is a commonly used term and concept but, as with almost everything involved in those disciplines, its precise meaning is rather nebulous. With different scholars and thinkers limning its precise outlines differently. Fairly often, the term ethos is used with – and differentiated from -- the term “worldview” or something similar. It is common that the reader can run into different social scientists defining, refining and re-defining and re-refining these terms to say nothing about disputing with their professional peers about what precisely is meant.

I have decided to forego all of that and use a fairly broad mixture or combination of all of these concepts for a number of reasons, but mostly because the precise terminology is not necessary for my argument. I am not proposing, for example, that it is one or another anthropological view of ethos or one or another sociological idea of worldview that is responsible for the success of Catholic schools in turning out good American citizens. Nor am I proposing that it is the ethos or worldview –as defined by other thinkers and investigators—of the Catholic parochial school that somehow or other jibes with the ethos and/or worldview of the American Founding Fathers that is important. That would be absurd.

Instead, as I have indicated throughout this project, I am dealing with that branch of Catholic theology that is often called Catholic anthropology and how it relates to the ideas behind the American Founding. But because I am also presenting these ideas through the perspective of how they work themselves out in more-or-less contemporary Catholic schools, I
am also talking about what I will call the “ethos” of those schools – which for my purposes means how things are done in a day-to-day basis in Catholic parochial schools and the ideas and customs behind those behaviors and actions.¹ Some examples will be given later in this chapter.

A good fit—although not a one-to-one fit—for what I have in mind is the work of Andrew Greeley, Catholic priest, respected sociologist, and member of the faculty at the University of Chicago, and what he came to call the “Catholic Imagination.” Greeley’s work led me to that of Clifford Geertz, who we will consider first because he has some things to say about religion that fit with the concept of ethos as I will use it here. Geertz explains that the religious perspective differs from other perspectives. It differs from “the common-sensical” perspective in that it moves beyond what are considered the realities of everyday life. It is concerned instead with wider realities that people accept and in which they have faith.² The religious perspective also differs from the scientific perspective in the way it questions the realities of everyday life. That is, it is not a skeptical view, but rather one that considers everyday life in terms of wider truths.³ As Geertz puts it, “Rather than detachment, its watchword is commitment; rather than analysis, encounter.”⁴ Finally, the religious perspective differs from art in that, rather than deliberately disengaging from factuality and creating a semblance or illusion, it is deeply

¹ I should confess before going any further that at several points in the working out of this project I considered not using the word ethos and instead use “habitus” which in many ways seems closer to what I’m talking about. Eventually I rejected that idea because while habitus is firmly rooted in the ideas of Aristotle and such medieval Catholic thinkers as Thomas Aquinas, Duns Scotus and William of Ockham, in the past few decades – at least in educational circles – the phrase has come to be associated with Pierre Bourdieu and his theories which are quite a bit different than mine. I should probably add at this point that I might just as well have used Bourdieu’s practice theory, especially his notion of habitus, as a starting point for the discussion of the Catholic parochial school ethos that follows but it seems unduly complicated and abstract, to say nothing of polemical for the purposes that I am trying to get to; consequently, I have applied the principles of that good Catholic medieval logician, William of Occam, and sliced it out. Bourdieu is one of those French thinkers who inspire, seemingly, thousands of British and American writers to turn out, seemingly, tens of thousands of books and articles, no two of which agree with one another much less with their subject and, often, not with themselves. I have felt no need to add my voice to this general cacophony.

² Geertz, The Interpretation of Cultures, 112.
³ Ibid.
⁴ Ibid.
concerned with fact. Indeed, Geertz says, the religious perspective is concerned with the “really real.” It is a particular way of understanding or seeing or grasping the world. It is a particular way of looking at life.5

Now let us turn our attention to what Geertz has to say about ethos, world-view and symbols. A people’s ethos, he says, is “the tone, character, and quality of their life.” It is the underlying attitude people have towards themselves and the world.6 Their world-view is a picture of the way things actually are and this picture contains their ideas about nature, self, and society. Sacred symbols are important because they synthesize a people’s ethos and their world-view.7 A symbol can be a word, an action, an object, an event—something that is a vehicle for meaning.8 Finally, symbols both express the ethos and shape it.9 This, in its simplest form, is one way of explaining, or beginning to explain, how the ethos works through the school. To take just one example, we can consider the presence of crucifixes and statues in Catholic schools. Rephrasing Geertz just slightly: these symbols both express the school’s climate and help to shape it.

Another useful concept is Charles Taylor’s formulation of the “social imaginary.”10 Though Taylor is neither a theologian nor a historian, his work often uses philosophy and history to address broadly theological questions. The work of his which is most useful in the context of this project is A Secular Age.11 I will come back to that shortly. Another is an idea put forward

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5 Ibid.
7 Geertz, The Interpretation of Cultures, 90.
8 Ibid., 91.
9 Ibid., 95.
10 Taylor most fully spells this out in Chapter 4, “Modern Social Imaginaries” of his magnum opus, A Secular Age (Cambridge, MA: Harvard University Press, 2007).
11 Peter E. Gordon, probably currently the leading historian of German and French philosophy in the 20th Century, describes Taylor and this work thusly:” [Taylor writes] not merely as a modern philosopher who happens to be
by the very influential political philosopher John Rawls. I should also probably mention here that in some ways my concept of ethos pretty closely jibes with John Rawls’s formulation of the “comprehensive doctrine.”¹² In an interview with a writer from *Commonweal*, one of the two leading liberal Catholic magazines for the general public,¹³ Rawls said:

> A comprehensive doctrine … aspires to cover all of life. … it has an ordering of all the virtues, not only political virtues but moral virtues as well, including the virtues of private life and [all] the rest.¹⁴

In his book *Political Liberalism*, Rawls wrote:

> Comprehensive doctrines of all kinds—religious, philosophical, and moral—belong to what we may call the “background culture” of civil society. This is the culture of the social, not of the political. It is the culture of daily life, of its many associations: churches and universities, learned and scientific societies, and clubs and teams, to mention a few…. Society’s main institutions, and their accepted forms of interpretation, are seen as a fund of implicitly shared ideas and principles.¹⁵

This brings us back to Charles Taylor’s idea of the “social imaginary” which is very like what I mean by the Catholic ethos, although his is a description at the highest level of abstraction.

Taylor defines the social imaginary as “that common understanding which makes possible common practices, and a widely shared sense of legitimacy.”¹⁶ Put another way, the social imaginary is the way that people imagine their social existence—the way they get along with other people in society. It includes norms and the expectation that these norms will be met.¹⁷

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¹² I probably should note that what follows, while it is an accurate representation of Rawls’s views so far as it goes, is not a complete one, because he has much more to say. I should also note Rawls does not apply his notions about coherent doctrines to religion only.

¹³ The other being *America*, a publication of the Jesuit order.


¹⁷ Ibid., 171.
images that underlie the norms are largely unstructured and inarticulate understandings and, so,
are not expressed in theoretical terms or as doctrines, but are instead expressed in images, stories,
and legends.\(^{18}\)

While people know how things usually go, Taylor says, they also have a sense of how things
ought to go. Beyond this ideal or norm stands a moral or metaphysical order which provides a
context for the norm, an order in which the norm makes sense.\(^ {19}\) Importantly, the social
imaginary is not something in the possession of a small minority of people. It is, Taylor says,
“shared by large groups of people, if not the whole society.”\(^ {20}\)

Taylor’s concept of the social imaginary, it seems to me, brings us closer to unlocking the
black box of Catholic schools. It explains more than do the concepts of social capital or
functioning communities, suggested by the research on Catholic schools that I examined in
Chapter 5 and does so in a much fuller and richer way. As does what Andrew Greeley calls the
Catholic imagination, a concept that I propose is crucial to understanding the Catholic school
ethos. Greeley says:

Catholics live in an enchanted world… [a world filled with] “a deeper and more
pervasive religious sensibility which inclines Catholics to see the Holy lurking in
creation. As Catholics, we find our houses and our world haunted by a sense that the
objects, events and persons of daily life are revelations of grace…. It sees created reality
as a ‘sacrament,” that is, a revelation of the presence of God.”\(^ {21}\)

\(^ {18}\) Ibid.
\(^ {19}\) Ibid., 172.
\(^ {20}\) Ibid., 171-72.
\(^ {21}\) Greeley, The Catholic Imagination, 1. He adds, “Put more simply, the Catholic imagination loves metaphors;
Catholicism is a verdant rainforest of metaphors…. Catholicism stresses the “like” of any comparison (human
passion is like divine passion) ...,” (9).
Thus, in Catholic schools, a walk through the campus on a beautiful fall day provides evidence of God’s presence. Similarly, if a child just misses being hit by an errant ball at recess, someone will likely remark that the child’s Guardian Angel was watching out for him or her.22

Greeley says:

God is sufficiently like creation that creation not only tells us something about God but, by so doing, also makes God present among us. Everything in creation, from the exploding cosmos to the whirling, dancing, and utterly mysterious quantum particles, discloses something about God and in so doing, brings God among us.23

Thus, the science teacher in a Catholic school is not merely meeting mandated curriculum requirements or sharing his or her love of the subject, the teacher is bringing God to his or her students. To put this in Geertz’s terms, in science class the student encounters God.

Greeley explains further how the Catholic imagination differs from other perspectives, drawing on the work of David Tracy and what Tracy calls the analogical imagination.

Tracy noted that the classic works of Catholic theologians and artists tend to emphasize the presence of God in the world, while the classic works of Protestant theologians tend to emphasize the absence of God from the world. The Catholic writers stress the nearness of God to His creation, the Protestant writers the distance between God and His creation; the Protestants emphasize the risk of superstition and idolatry, the Catholics the dangers of a creation in which God is only marginally present. Or, to put the matter in different terms, Catholics tend to accentuate the immanence of God, Protestants the transcendence of God.24

Thus, in a Catholic school, the day is conducted with the understanding that God is present in the school, in every hallway and classroom, each and every day. As I noted in Chapter 5, Catholic schools do many of the same things that public schools do, but for different reasons.

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22 As Greeley notes, not all Catholics are deeply affected by the Catholic imagination and it is not necessary to be Catholic to have a sense of the sacramental nature of the world and to see in it God’s revelation. He suggests, though, a correlation “between being Catholic and being possessed by an enchanted imagination.” Ibid, 18. Further, he adds, “To see God and creation through Catholic eyes it is not necessary to be a good Catholic, whatever that is. (Better to leave such judgments to God anyway!)” Ibid, 19.

23 Ibid., 6-7.

24 Ibid., 5.
Collecting canned goods for the local food shelf is not just a nice thing to do or a good resume-builder, but an understood expectation because it is one of the Corporal Works of Mercy: Feed the hungry. This follows from what Geertz, Taylor, and Greeley propose. It is a way of seeing the world, a way that includes shared understandings, norms and expectations that are not always spoken and that are more easily experienced than described. This is the Catholic worldview that, along with Catholic anthropology’s understanding of the nature of the person, contributes to the Catholic school ethos.

The Ubiquitous Both/And

There is another characteristic of Catholic thought that should be considered and that is the one that is now commonly called “both/and.” Traditionally, in Western Civilization, logic is based on three principles first enunciated by Aristotle in the 4th Century B.C. that basically say something must either be one thing or it must be another. (Hence, it’s called either/or thinking.) But starting in the mid-1800s, though this sort of logic continued to work for most things, it began to fray around the edges, first with the problem of biological taxonomy. Naturalists ran up against the problem of just how, exactly, do you define a species. By the end of the century, the problem had spread unexpectedly to the problem of library management simply because of the problem of how to classify the individual books that made up a library’s holdings. And by the mid-20th Century it had become a major dilemma for computer scientists because they had to figure out just where to store all the bits and pieces of data that made up the instructions that made computers run – to say nothing of the data which the computers’ processors manipulated.

25 The Seven Corporal Works of Mercy are: to feed the hungry; to give water to the thirsty; to clothe the naked; to shelter the homeless; to visit the sick; to visit the imprisoned; to bury the dead. Sometimes “to clothe the naked” is stated as “to give alms to the poor.” The Corporal Works of Mercy, United States Conference of Catholic Bishops, http://www.usccb.org/beliefs-and-teachings/how-we-teach/new-evangelization/jubilee-of-mercy/the-corporal-works-of-mercy.cfm
The toughest theoretical problems, though, began in the early 1900s when scientists finally had the intellectual and physical tools to begin exploring the physics of sub-atomic particles. Since then they have come up with a series of observations and explanations that make up what is generally called quantum physics or quantum mechanics. Most scientists, including most physicists who work in the field, find that it contradicts almost everything that had previously been thought of as scientific – or, for our purposes, obedient to Aristotle’s three basic laws of logic.

For Catholics, and most other Christians, though, the application of strict Aristotelian logic posed a major problem right from the beginning because both Sacred Scripture and Sacred Tradition taught that Jesus, Himself, was both God and man. According to the old logic, this obviously could not be so: Jesus must either be God or He must be man. And, in fact, throughout the history of Christianity there has been a major undercurrent -- sometimes more than an undercurrent -- that argued that Jesus was either God posing as man or a man (at best, a prophet) posing either intentionally or not as God. (These various heresies often are called some variety of Arianism.) But Catholicism insisted from its very beginnings that Jesus was both God and man.

In the first decade of this past century, the 20th, a young British art and literary critic, poet and novelist, Gilbert K. Chesterton, was going through a long, good-tempered spiritual crisis moving from a sort of generalized modernism located spiritually somewhere between atheism and agnosticism towards Catholicism. Of course, he wrote a number of books about his spiritual journey and in the second of the books, *Orthodoxy*, he came up with what was to be the most important non-theological description of the both/and concept:

[Catholicism] separated the two ideas and then exaggerated them both…[In] short, Christianity got over the difficulty of combining furious opposites, by keeping them both, and keeping them furious… For if there is a wall between you and the world, it makes
little difference whether you describe yourself as locked in or as locked out… By defining its main doctrine, the Church not only kept seemingly inconsistent things side by side, but what was more, allowed them to break out in a sort of artistic violence otherwise possible only to anarchists… It has kept them side by side like two strong colours, red and white… It has always had a healthy hatred of pink. It hates that combination of two colours which is the feeble expedient of the philosophers. It hates that evolution of black into white which is tantamount to a dirty gray… This is what I have called guessing the hidden eccentricities of life. This is knowing that a man’s heart is to the left and not in the middle. This is knowing not only that the earth is round, but knowing exactly where it is flat. Christian doctrine detected the oddities of life. It not only discovered the law, but it foresaw the exceptions.26

More than a hundred years later, Bishop Robert Barron of Los Angeles, probably the most popular contemporary Catholic apologist, explained Chesterton and both/and on his YouTube program, The Word on Fire Show:

Catholicism holds contraries together. Not contradictory things. That would be just plain illogical. Contraries. Tensive opposites, if you want. One of the marks of Catholic thinking is a patience with this both/and approach. I think I [once] cited Karl Barth, the greatest Protestant thinker of the last century. But Barth famously complained about “that damnable Catholic and.” What he meant was that Catholics always say things like “faith and reason,” “nature and grace,” “faith and works.” We tend to like the word “and.” And Barth is more of an either/or thinker. A dialectical thinker. Catholicism is a vigorous and unapologetic both/and. This and that, both at top volume. It’s this bold color and that bold color and not an amalgam of the two. Where is Chesterton getting this idea from? Ultimately from the incarnation, that Jesus is truly human and truly divine. Not just divine. Not just human. And, and not a mélange of the two – a little bit human, a little bit divine. That’s the ground for the great Catholic both/and.27

There are scores of ways in which this approach to the world is exemplified in Catholic thought, action and teaching. Parts of one such list drawn up by Fr. Felix Just is particularly relevant to the Catholic classroom ethos. In a slightly modified form, they are:

As human beings we are both Individual Persons and Social Beings in families and communities.
We are formed and influenced by both Nature (heredity/genetics) and Nurture (environment/society).

Human nature is both Good (created in God’s image) and Sinful (in need of forgiveness).

As human beings we are both Free to make our own choices and Obliged to choose what is good/right.

The focus of our lives must be both the Present World (living rightly) and the World to Come (going to Heaven).

To live ethically, we must follow both our own Conscience and official Church Teachings.

The Greatest Commandment is both to Love God and to Love All (neighbors, enemies, self).

Humans can encounter God through both Prayer (meditation, contemplation) and Action (work/service).

We know God through both Faith and Reason.

Our world must be understood through both Religion and Science.

Our religious lives embrace both Theology (the mind) and Spirituality (the heart).

The practice of our religion requires both Faith (personal belief) and Justice (social action).28

Of the Distinctive Ethos of Catholic Schools

Which brings us back to Catholic schools and what makes them different. What makes Catholic schools distinctive is really rather simple. Catholic schools teach Catholic teaching. Their distinctiveness is based on the distinctiveness of Catholicism.29 Catholic schools teach a particular view of the nature of human beings, “given life” by communion and community, and a

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“thick” or comprehensive theory of the good. In other words, they are infused with a Catholic worldview.

Archbishop Beck argues that education cannot escape entanglement with philosophy and the answer to the question “What is man?”

Yet the question of what man is—or what we mean by human nature—is the source of all social philosophy, and is ultimately the basis of every system of education. Only when we know what man is can we say what he should strive for, what sort of society he should live in, what institutions should serve him. Only when we know what man is can we say how he should be educated. Is man a glorified animal, expendable in the service of others, or in the service of the State; a part only of the whole, and subject to the whole? Is he to be trained in the skills and techniques of production and scientific achievement, a sort of human computer or automaton; and must economic aims be the overriding interest in education? Or is man a person with a rational spiritual nature, destined for immortality, with an importance transcending that of any other element in the universe—and end in himself with an eternal destiny? Is there a real distinction between right and wrong, and does it matter to himself and others what things a man chooses to do?”

Terence McLaughlin says that we do not have an adequate modern statement of a Catholic philosophy of education, noting that although statements from papal encyclicals and

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30 McLaughlin finds three distinctive features of Catholic education: (1) The embodiment of a view about the meaning of human persons and of human life; (2) An aspiration to holistic influence; (3) Religious and moral formation. McLaughlin, “The Distinctiveness of Catholic Education,” 140-45. According to Robey, “By nature and mission, these schools operate in such a way that moral choices and character values are just as strongly emphasized as educational performance. This emphasis contributes to a culture fostering the notion that it is important to use our gifts well, and be appreciative of them.” Robey, “Catholic Schools and Educating the Whole Child.” Bernard Lonergan’s philosophy was concerned with higher education. Yet his ideas apply to the K-12 years as well. That is, as Centeno summarizes, “De facto, education consists in the formation of individuals to become reasonable, responsible, and religious citizens. Jeffrey Centeno, “Learning-To-Be: Reflections on Bernard Lonergan's Transcendental Philosophy of Education Towards an Integral Human Existence,” (April 18, 2007).

31 Barry Alan Shain says that while communalism and the preference for the common good reinforce each other, they are distinct ideals. In a communal theory of the good, he says, individual flourishing is pursued “through familial and communal shaping of the individual.” The role of intermediating institutions, including locally controlled schools, play an important role. Cultural particularism—associated with Catholicism—was “one of the banes” of Enlightenment thinkers and was associated with Catholicism. The Myth of American Individualism: The Protestant Origins of American Political Thought. (Princeton: Princeton University Press, 1994), 23 and 85.

other documents can be cited, a full understanding of the underlying principles of the Catholic schools requires, “attention to the full range of the thinking of the Church.” In other words, the ethos of the school is based upon Catholic anthropology and the thinking of the Church over the centuries. Miller explains that the Catholic school, founded on Catholic anthropology, must appreciate the need “to perfect children in all their dimensions as images of God.” A Catholic educational philosophy must be built on a correct understanding of “who the human person is.”

The mission assigned to the Church by Christ is to teach and, as one would expect, some aspect of education is included in virtually all of the documents of the Church, including papal encyclicals, councilor documents, and canon law. Our interest here, though, is very limited. I am concerned with only one aspect of education, namely, Catholic school ethos and the factors that create and sustain it. The matter of ethos is central to the theory of Catholic education.

The distinctive mission of a Catholic school is salvation and eternal life by way of the teachings of the Catholic Church. The school is a community in pursuit of holiness and

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33 McLaughlin, “The Distinctiveness of Catholic Education,” 139. Pring, “Markets, Education and Catholic Schools,” 67-68. Ellis A. Joseph examines the difference between the terms “philosophy of Catholic education” and “Catholic philosophy of education.” One has to do with philosophy, the other, theology, yet terminology confusion reigns, especially in discussions of Catholic identity. Ellis correctly argues that what makes Catholic schools Catholic are the theological truths that guide it. Thus, he concludes, there can only be a theology of Catholic education. He notes that even Pope Leo XIII’s 1879 encyclical, Aeterni Patris, is subtitled “On the Restoration in Catholic Schools of Christian Philosophy According to the Mind of the Angelic Doctor Saint Thomas Aquinas.” Ellis A. Joseph, “The Philosophy of Education,” in Handbook of Research on Catholic Education, ed. Thomas C. Hunt, Ellis A. Joseph, and Ronald J. Nuzzi. (Greenwich, Connecticut: Information Age Publishing, 2001), 27-63. Until quite recently, it seemed that the last attempt to identify a distinctively Catholic philosophy of education was that of Jacques Maritain. His Education at the Crossroads was published in 1943. D’Souza’s recent work tackles the distinctions between a philosophy of Catholic education, a Catholic philosophy of education, and a Catholic theology of education. He proposes an understanding of a Catholic philosophy of education drawing on the thought of two Thomists, Jacques Maritain and Bernard Lonergan in addition to Church documents on education issued in the post-Vatican II era. His work came out too recently to be considered in any thorough way here. Mario O. D’Souza, A Catholic Philosophy of Education: The Church and Two Philosophers. (Montreal & Kingston: McGill-Queen’s University Press, 2016), 14-16.

34 Miller, “The Holy See’s Teaching,” 363-364.

35 “Go, therefore and make disciples of all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Spirit, teaching them to observe all I have commanded you.” Mt. 28:19-20. Code of Canon Law, canon 793. http://www.intratext.com/IXT/ENG0017/ P2L.HTM

everything in it, tangible and intangible, serves that end. More than being concerned only for their own salvation, though, students should also become—by their example—“a saving leaven in the human community.” Mark Brewer compares what he describes as the Catholic ethic to the better-known Protestant ethic. While the Protestant ethic emphasizes the individual, as expressed in self-reliance, ambition and personal success and achievement, the Catholic ethic promotes a communal outlook. Tropman, for instance, says the core value of the Catholic ethic is sharing. Also supporting this view is Greeley when he says that Protestantism encourages people to relate to God as individuals, while Catholicism stresses experiencing God as a group. All of this, Brewer says, points to a fundamental difference in worldviews.

Catholic schools “proceed ex corde Ecclesiae, from the very heart of the Church.” For example, although Catholic schools are not unique in promoting service to others, their rationale is based on Catholic teaching. To give one’s time and effort is taught as both an expression of

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37 Ronald J. Nuzzi, James M. Frabutt, and Anthony C. Holter, “Catholic Schools in the United States from Vatican II to Present,” in The Praeger Handbook of Faith-Based Schools in the United States, K-12, vol. 2, ed. Thomas C. Hunt and James C. Carper (Santa Barbara, California: Praeger, 2012), 329. The Catholic School, 9. Pius XI, Divini illius magistri (On Christian Education), http://w2.vatican.va/content/pius-xi/en/encyclicals/documents/hf_p_xi_enc_31121929_divini-illius-magistri.html, December 31, 1929. “It is therefore as important to make no mistake in education, as it is to make no mistake in the pursuit of the last end, with which the whole work of education is intimately and necessarily connected. In fact, since education consists essentially in preparing man for what he must be and for what he must do here below, in order to attain the sublime end for which he was created, it is clear that there can be no true education which is not wholly directed to man's last end, and that in the present order of Providence, since God has revealed Himself to us in the Person of His Only Begotten Son, who alone is "the way, the truth and the life," there can be no ideally perfect education which is not Christian education.” Miller says that the process of education must be inspired by a supernatural vision that forms children to be good citizens of this world, who will also be citizens of the next world, fulfilling their destiny to become saints. Miller, “The Holy See’s Teaching,” 363.


good citizenship and an expression of faith. As Grace notes, the principle of working for the common good has a long tradition in the Catholic Church. The thread extends from the writing of St. Thomas Aquinas, is mediated by Jacques Maritain and other Catholic philosophers, and is reaffirmed in more recent Church documents.

Catholic educator Michael O’Neill describes school ethos this way:

When people in a school share a certain intentionality, a certain pattern or complex of values, understandings, sentiments, hopes, and dreams, it deeply conditions everything else that goes on, including the math class, the athletic activities, the dances, coffee breaks in the teachers' lounge, everything.

Sacrament, Mediation, and Community

The Catholic imagination—the sacramental worldview—is part of the Catholic school ethos. As we have said, the sacramental worldview means seeing God present in the world and then responding to God’s grace through one’s ordinary and everyday life. Two other principles of the Catholic worldview also contribute to the ethos of the school. Mediation is the principle that sacramental practices are not only symbols but invoke God’s presence. The third is


42 Grace, Catholic Schools: Mission, Markets and Morality, 249, note 30. Similarly, the publications of the Congregation for Catholic Education (1977, 1982, 1988, 1998) emphasize the formation of solidarity and community and using one’s gifts and talents for the common good. Grace, Catholic Schools: Mission, Markets and Morality, 125. Tropman makes the interesting case that the emphasis that the Catholic ethic places on family—symbolized in the Holy Family of Mary, Jesus and Joseph—carries the concept of family into the community. The head of the parish, for instance, is “Father.” Sympathy and help for others, he argues, is more likely if others are regarded as part of the family or community. Thus, the aid given is a gift, not a calculated transaction that seeks a return. Tropman, The Catholic Ethic in American Society, 90-91. Brewer, Relevant No More, 92.


communion, being part of a community. In Catholic teaching, the only way to God is as part of a community of believers. The importance of community in the Catholic school ethos cannot be overstated.

Symbols, practices, and traditions are an important part of any culture. Visible signs and actions both identify and promote a school’s ethos. In the case of Catholic schools, the most important of these is the sacramental and liturgical life of the school. This is the aspect of the school ethos most perceptible to visitors. Crucifixes on the walls, statues in the classrooms, the songs that are sung, ashes on the foreheads of children on Ash Wednesday, and so on. Groome

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47 Nuzzi, Frabutt, and Holter, “Catholic Schools in the United States,” 328. By this means, Nuzzi says, all stakeholders are united in a common and uplifting mission. Taking part in the rituals of the Church year and knowing the lives of the saints has been compared to sharing a language. Grace, Catholic Schools: Mission, Markets and Morality, 75. The Notre Dame Study of Catholic Elementary and Secondary Schools stated that “…In all, symbols associated with the liturgy and prayer are intimately associated with the school day.” Writing in 1966, before so many nuns, including the Sisters of Notre Dame, stopped wearing their religious habits, they could add, “The very presence of the religious is in itself a dominant, unforgettable symbol. Here are persons set apart from the world reminding …between the things that are of time and the things that transcend time.” Notre Dame Study, Catholic Schools in Action, 17. Quoted in Fass, Outside In, 192.

explains that liturgical rituals “intensify participants’ everyday experiences of the outreach of God’s life and love; but the mediating symbols between the people and God are still of the ordinary—bread, wine, water, oil, human life, and so on, and they are all celebrated as, and through, community.” The educational role of the school includes teaching the Word of Christ as expressed in Sacred Scripture and Tradition, and in the Mass and the sacraments. Students encounter the sacred, a sense of the transcendent. That is:

an awareness of the presence of God as mediated by the sacraments, especially the celebration of the Mass. … Catholicity is the distinctive spiritual, religious and cultural habitus in which the presence of God is encountered.

As Robert Barron explains in his advice to parents of young children:

A religious tradition is not primarily about passing on beliefs. That comes, that is essential, but it is primarily about the passing on of practices, the things that we do: prayers, rituals, sacraments, processions, signs of the cross, putting your hands in the holy water, genuflecting, kneeling, gesturing with your body, doing the corporal and spiritual works of mercy. Maybe the best way we can hand on the faith is by putting the moves of the faith into the bodies of future generations. Don’t privatize and make the faith something simply interior. Rather, let it get into the body as something you concretely practice.

The physical and visible external signs of Catholic culture embody the community ethos of Catholicism. As the mid-20th Century public intellectual, proto-feminist, literary critic, best-selling novelist, and self-described lapsed Catholic, Mary McCarthy wrote in her memoir, Memories of a Catholic Girlhood,

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51 Grace, Catholic Schools: Mission, Markets and Morality, 62.
54 Miller, “The Holy See’s Teaching,”369.
What I liked in the Church, and what I remember with gratitude, was the sense of mystery and wonder, ashes put on one’s forehead on Ash Wednesday, the blessing of the throat with candles on St. Blaise’s Day, the purple palls put on the statues after Passion Sunday, which meant they were hiding their faces in mourning because Christ was going to be crucified, the ringing of the bells at the Sanctus [during Mass], the burst of lilies at Easter—all this ritual seeming slightly strange and having no purpose (except the throat-blessing), beyond commemoration of a Person Who had died a long time ago. In these exalted moments of altruism the soul was fired with reverence.55

**Persons-in-Community**

Catholics are called to discover their vocation and live responsibly in community with others.56 Thus, the Catholic school should be “permeated with the Gospel spirit of freedom and love,” a setting in which “the pupil experiences his dignity as a person before he knows its definition.”57 In 1972, the National Conference of Catholic Bishops stated, “Community is at the heart of Christian education, not simply as a concept to be taught.”58 In their pastoral letter *To Teach as Jesus Did*, the bishops identified three elements of Catholic education: to teach doctrine, the message of hope contained in the Gospel; to build community, not just as a concept to be taught but as a reality to be lived; and to serve all mankind, which emanated from a sense of Christian community.59 As described in Chapter 5, much of the research on making good citizens and on Catholics schools finds that a student’s sense of being part of a community is significant.

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56 *The Catholic School*, 45.
57 Ibid., 55. And “The school must be a community whose values are communicated through the interpersonal and sincere relationships of its members and through both individual and corporative adherence to the outlook on life that permeates the school.” (32).
The emphasis on community is not simply based on the social nature of the person as described by anthropologists or sociologists, nor on Aristotle’s dictum that man is a political animal. As stated in *The Catholic School*, “The community aspect of the Catholic school is necessary because of the nature of the faith and not simply because of the nature of man and the nature of the educational process which is common to every school.”60 That is, “Christian faith, in fact, is born and grows inside a community.”61 The Catholic school way of life is forming persons-in-community.62

The school is based not a generalized notion of community, but on the deeply held belief “that true humanity is discovered through communion with others.” In other words, we find our identity “and true selves” in relationships with others.63 This, Brick says, is partly what is meant by living an authentic life.64 This idea is explained in the statement of the National Council of Bishops:

Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and the building of community…. The educational efforts of the Church must therefore be directed to forming person-in-community; for the education of the individual Christian is important not only to his solitary destiny but also to the destinies of the many communities in which he lives.65

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60 *The Catholic School*, 54.
61 Ibid., 53. The Catholic understanding that the dignity of the person is achieved in community with others is rooted in the idea of covenant. Hollenbach notes that God called Israel as a people, not individually one at a time. Similarly, in the Book of Exodus, the people were liberated as a group. Hollenbach, “The Common Good,” 95-96
The Catholic school is based on a culture of relationships, both human and divine. As we have seen in Chapter 1, it includes the Communion of Saints—that is the faithful, both living and dead—“the lives of people, past and present, who bear witness to that Word.”

The Great Conversation, Curriculum, Knowledge, Wholeness, Truth, and What It Mean to Be Human

Education has been described as the introduction to the Great Conversation of Western Civilization that began with the dawn of history and continues today. As Pring describes it, the conversation takes place between generations of mankind in which the new generation hears and is introduced to the voice of poetry and of philosophy, of science and of history, of art and of religion. These are the voices through which we have come to understand what it means to be human…one might say the conversation, always continuing, through which that humanity has been defined.

In a sense, there is no secular curriculum in the Catholic school because all learning helps students to understand and appreciate the order of creation, the goodness of the universe, and one’s own place in it. Curriculum, used in the broadest sense of the word, encompasses the whole school day and the environment and ethos of the school. The acquisition of knowledge “is essential for the personal freedom of the student…and for the communal and societal contributions of the Catholic school.”

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66 Cook, Architects of Catholic Culture, 16.
67 The Catholic School, 54. In 1857, Bishop Martin John Spalding told his poor and immigrant flock that they were not travelling alone. He reminded them that they were members of the Communion of Saints—that all of us, the living and the dead, are bound “into one society knit by a thousand associations and ties.” M. J. Spalding, DD., Lecture on the Evidence of Catholicity, Delivered in the Cathedral of Louisville, 4th ed. (Baltimore [1875], 1866), 217. Quoted in McGreevy, Catholicism and American Freedom, 295. Cook, Architects of Catholic Culture, 17.
Seeking knowledge is the long tradition of the Church. Bernstein restates Durkheim’s observation:

The Christian God was a god you had to think about. It was a god that not only was to be loved but to be thought about. And this attitude created an abstract modality to the discourse.72

In the Catholic school, there is no separation between learning and religious development, no separation of faith and knowledge. As we have noted, the both/and of Catholicism sees no conflict between science and faith and finds its source of truth in both Scripture and Tradition. Thus, to the example of science, Catholicism has no problem with the idea of evolution if it is seen as a part of God’s plan.73 Similarly, the Big Bang theory was first proposed by a Belgian Catholic priest, Monseigneur George Lemaître, in the 1920s.74

As Mary McCarthy wrote,

If you are born and brought up a Catholic, you have absorbed a good deal of world history and the history of ideas before you are twelve, and it is like learning a language early; the effect is indelible. Nobody else in America, no other group, is in this fortunate position.75

In the community of the school, striving for academic excellence and pursuing holiness are not distinct endeavors.76 This way of looking at education continues the Western tradition that the pursuit of learning and the praise of God are inseparable.77 For “science is one of the

77 Williams, “Education and the Catholic Tradition,” 169.
highest praises of God; the understanding of what God has made.”78 As schoolchildren learn, knowing God involves knowing Him through His works. In other words, one must learn about the world.79 At the same time, school as community means that the academic progress of the individual student is related to the progress of others. Both the individual and the common good must be fostered.80 Nancy Lesko offered some examples of how this plays out in the daily life of a school. In her study of a Catholic high school, she found that the principle of community provided a rationale for rules and expectations—from the importance of not being tardy to the reason for checking out the books that one takes from the library. While many schools have buddy programs that pair up older with younger students, Lesko suggests that the Catholic school had a principled reason (person-in-community) for doing so.81

Christian schools, Burns argues, are best equipped to allow students to see the connections between faith and secular knowledge and to “see truth as a whole” rather than as separate fragments.82 Today the idea of an objective truth is contested in many quarters. Chesterton, with his usual insight, argues that without truth—or, as he put it—without dogmas, we are less human.

He says:

79 apprehending the material thing through one’s senses is one way of knowing God. This was one of the proofs for God’s existence offered by Aquinas. Copleston says that the proofs of St. Thomas “may be said to be an explicitation of the words of the Book of Wisdom and of St. Paul in Romans that God can be known from His works, as transcending his works.” Frederick Copleston, S.J., *A History of Philosophy, Vol. II, Mediaeval Philosophy, Part II: Albert the Great to Duns Scotus*. (Garden City, New York: Image Books, 1962), 55-65. See also Beck, “Aims in Education,” 112.
80 Maritain describes a reciprocity: The common good flows back upon the individual. Maritain, *Education at the Crossroads*, 16.
82 Burns, *Principles, Origins and Establishment*, 17-22. Burns describes this as the “educative value” of religious knowledge. Groome says that teachers in Catholic schools should help their students to realize that every life question is essentially a religious question and that all truth is grounded in Divine truth. Groome, “What Makes a School Catholic?” 113.
Man can be defined as an animal that makes dogmas. As he piles doctrine on doctrine and conclusion on conclusion in the formation of some tremendous scheme of philosophy and religion, he is, in the only legitimate sense of which the expression is capable, becoming more and more human. When he drops one doctrine after another in a refined scepticism, when he declines to tie himself to a system, when he says that he has outgrown definitions, when he says that he disbelieves in finality, when, in his own imagination, he sits as God, holding no form of creed but contemplating all, then he is by that very process sinking slowly backwards into the vagueness of the vagrant animals and the unconsciousness of the grass. Trees have no dogmas. Turnips are singularly broad-minded.83

What Chesterton is saying is that to be human is to believe in something—a dogma, a creed, a set of beliefs, or accepted truths that people hold and according to which they act. His view mirrors that of Donald Lutz who, as explained in Chapter 4, finds the Declaration of Independence to be the founders’ statement of the creed or truths that the American people accepted and believed in. It is also a teaching of the Catholic Church. According to the Catechism, “Man tends by nature toward the truth.”84

Charles Taylor makes a similar argument. He writes of the importance of two kinds of commitments that are part of identity formation—one moral or spiritual, the other national—which, I propose, overlap in the Catholic school. He says:

To know who I am is a species of knowing where I stand. My identity is defined by the commitments and identifications which provide the frame or horizon within which I can try to determine from case to case what is good, or valuable, or what ought to be done, or what I endorse or oppose. In other words, it is the horizon within which I am capable of taking a stand.

People may see their identity as defined partly by some moral or spiritual commitment, say as a Catholic, or an anarchist. Or they may define it in part by the nation or tradition they belong to, ... What they are saying by this is not just that they are strongly attached to this spiritual view or background; rather, it is that this provides the frame within which

83 G.K. Chesterton, Heretics. (Garden City, New York: John Lane Company, 1919), 286.
84 CCC 2467.
they can determine where they stand on questions of what is good, or worthwhile, or admirable, or of value.”

Similarly, the document *The Catholic School* states:

> Either implicit or explicit reference to a determined attitude to life (Weltanschauung) is unavoidable in education because it comes into every decision that is made. It is, therefore, essential, if for no other reason than for a unity in teaching, that each member of the school community, albeit with differing degrees of awareness, adopts a common vision, a common outlook on life, based on adherence to a scale of values in which he believes. This is what gives teachers and adults authority to educate. It must never be forgotten that the purpose of instruction at school is education, that is, the development of man from within, freeing him from that conditioning which would prevent him from becoming a fully integrated human being. The school must begin from the principle that its educational programme is intentionally directed to the growth of the whole person.

It was on this basis, for instance, that The Cardinal Newman Society argued against the adoption of the Common Core State Standards (CCSS) by Catholic schools. The Common Core’s utilitarian objectives were contrary to the mission of Catholic education to form the whole person. Put simply, they argued the core of Catholic education must be the Catholic faith.

“Sprinkling Catholicism” on top of the standards, they said, is not a solution but instead weakens Catholic identity. In other words, they said, “We are about a more substantial project and need more substantial standards.”

All schools—whether they acknowledge it or not—promote a worldview. All education is necessarily value-laden, the only question being which values should be taught?

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86 *The Catholic School*, 29.


88 Glenn and Glenn, “Making Room for Religious Conviction,” 94. Grace argues that there has not been and can never be a school or educational enterprise that is “autonomous, objective, neutral and ideologically free.” Grace, *Catholic Schools: Mission, Markets and Morality*, 13-14. “Secular schools as opposed to religious schools are not ideologically free zones. Secularism has its own ideological assumptions about the human person, the ideal society, the ideal system of schooling, and the meaning of human existence. While these assumptions may not be formally codified into a curriculum subject designated ‘secular education’ as an alternative to ‘religious education,’ they
schools operate on the belief in the dignity of the person and that human reason can discern ethical truth. The mission of the Church—and of the school—is to spread the Word of God and so the goal of its educational effort is clear: to transmit the truth. It is Chesterton’s often-quoted observation that, “Education is only truth in the state of transmission; and how can we pass on truth if it has never come into our hand?” Kevin Williams explains, “…to count as being Catholic, the purposes of education must be based on a conviction of possessing the truth about the ultimate purpose of life and endeavoring to pass this on to young people.”

According to the Catechism:

It is in accordance with their dignity that all men, because they are persons…are both impelled by their nature and bound by a moral obligation to seek out the truth, especially religious truth. They are also bound to adhere to the truth once they come to know it and direct their whole lives in accordance with the demands of truth.

The claim to possessing the truth and passing it on to schoolchildren is obviously one of the ways that Catholic schools are unique. The ethos of the Catholic school is based on “a substantial, thick or comprehensive conception of human life” and its ultimate purpose. In short, Catholic schools are unique because they are Catholic. And yet, as counter-intuitive as it may seem, it is the uniqueness of the Catholic school—a school imbued with an ethos based on Catholic anthropology—that is especially successful at turning out good American citizens.

characteristically permeate the ethos and culture of state-provided secular schools and form a crucial part of the ‘hidden curriculum.’

89 Walch, “The Past Before Us, 185.
90 G.K. Chesterton, What’s Wrong with the World (New York: Dodd, Mead and Company, 1912), 249.
91 Williams, “Education and the Catholic Tradition,”169.
93 Williams, “Education and the Catholic Tradition,”169. Williams compares this to “the procedural, thin, limited or restricted theories that underpin public schooling in liberal democracies.”
is the compatibility that was already hinted at in 1776, in the shared mission of the four men in
the bateau.
CONCLUSION

OF COMMUNITY AND ETHOS AND DOUBLE DOSES

When asked what my dissertation is about, I have described it as a simple idea with many moving parts. Or, more accurately, many moving parts within two major parts. The first major part of the simple idea is the close consonance between the founding principles of the American Covenant and the principles of Catholic anthropology. It was not necessary for the Founders to acknowledge the Catholic roots and sources that they relied upon (and they certainly did not acknowledge them) for it nonetheless to be the case. The second part of the simple idea is that Catholic schools are the best makers of good American citizens because of the Catholic ethos that pervades the school, an ethos that is rooted in Catholic anthropology, which, in turn, overlaps/complements/supports the ideas that America was founded upon. It’s as though Catholic school kids—drawing on both what’s Catholic and what’s American—get a double dose of the very things that make for good American citizens.

In all of this, two concepts stand out: community and ethos.

Catholic anthropology is not simply the study of the human person, but of person in community. The human being is by nature a social and political creature. The gifts of reason and free will allow a person—more correctly, compel a person—to seek out others and, with them, to contribute to social life, political activity, and voluntary associations for that person’s own good and, importantly, the good of others. It would be hard to overestimate the importance of community to Catholicism. In fact, the Church teaches that no one can achieve his or her perfection outside of community. Each person has a vocation, a calling, that benefits not only his or her own flourishing, but also contributes to the flourishing of others in some way. His or her
search for the good, the true, and the beautiful—that is, happiness—must take others into account.

Community and faith are intertwined. If we look at the history of the Church—for example the events of and following the French Revolution—we can see that tyrants who aimed to limit or destroy the Church set about it by trying to destroy communities, most often by a kind of cultural displacement. They attacked the outward signs and symbols of people living in community: the rites of weddings and burials; the naming of babies after saints; the organization of the calendar year; the naming of streets and holidays; the ringing of the church bells; the participation in outdoor processions and festivals; the wearing of religious or clerical garb; the limiting of which language could be spoken in school.

The idea of community is also part of the American Covenant. It is an agreement among people who are connected in much more than a merely contractual way. In the first part of the covenant—the Declaration of Independence—Americans define themselves and the principles they hold: that they are free and equal and possess inalienable rights, and that these things originate not simply because they are human beings but because they have been given life by a divine Creator. In addition to the rights they hold, they have duties to each other and ask for God’s blessing on their endeavors. People in community may differ on many things, but in order to exist as a community they must share a core set of beliefs, goals, and understandings. It is a truism that no society can long survive without a shared understanding of the nature of the human person. The Declaration of Independence is America’s clear statement of that understanding. As we have seen, its phrases echo those of the Church’s own understanding of man’s nature.
The overlapping and complementarity of these two understandings of the nature of the person come to fruition in the Catholic school, for it is also a truism that one cannot have a philosophy of education without a theory of the human person. In the American Catholic school, the Catholic and the American understandings of that nature are at peace. I think it was Pope Pius XII who called this kind of philosophical agreement a sisterhood.

While community is one of the most important aspects of the Catholic ethos, at the same time, the Catholic ethos contributes to the building up and flourishing of community. This back-and-forth between ethos and community is plain to see in Catholic schools, at least once one stops and looks for it. To the casual observer—or in my own case, to the teacher and principal—it is not something at the front of one’s consciousness during everything that takes place on any given school day. But it is there. And, as researchers have consistently found yet not quite adequately explained, it is one of the reasons that Catholic schools turn out good citizens.

The Catholic school aim of forming person-in-community and the ethos that creates it, plays out in everything that takes place in the school, from academic expectations and homework assignments, to service projects and classroom rules, to the placement of sacramentals and the celebration of the sacraments. Put simply, it values commitment over detachment. Knowledge and principles are not abstract. They are put into practice. I confess to having kept for some time a little post-it note on my desk with three words: Look—judge—act. They are from the “practical suggestions” offered by John Paul XXIII that summarize what Catholic children should learn to do: review the concrete information; form a judgment based on correct principles; and decide what is to be done and do it.
Which leads me to what is the both/and of Catholic education: the practical advice of the pope alongside Catholicism’s sacramental worldview. That is, the school helps its students to see the world as a reflection of God and God’s goodness. An awareness of the divine in the quotidian—and one’s encounter with it—is part of the Catholic school ethos. There is a place for enchantment and for mystery.

**Looking Ahead**

Keeping these things in mind, there are several recent developments in Catholic education that bear watching. When schools are closing for lack of students and lack of money, something must be done. The question is, what is that something or somethings.

Among the proposed solutions is creating a new school model. Some parish schools, for instance, are joining together in consortia—some loose, some tighter—to pool resources and reduce costs. This would seem to address the problem of money, but not of enrollment. Its success remains to be seen. Other schools and groups of schools are putting themselves—with the approval of their bishop, of course—in the hands of private boards which have the powers of supervision and oversight. These private partnerships offer expertise in running organizations efficiently and effectively. Indeed, in many cases deficits have been dramatically reduced. Sometimes, however, their authority extends beyond financial matters and includes changes in the content of the curriculum, the method of instruction, and the professional development of the teachers. Unfortunately, this model abandons the on-site decision-making and local control that has traditionally allowed the school to connect so well with its families, something that has been a hallmark of the parish Catholic school since its inception.
This seems, to me, a step in the wrong direction, a movement away from the regular, ongoing contact between school staff and parents, both inside and outside of the school building, that Coleman credited as one factor in the success of Catholic schools. More than one observer has commented that the public charter school movement got its ideas from observing how Catholic schools operated as independent units. It is curious, then, that any school would choose to abandon that model in an attempt to compete with charter schools. That is, of course, unless the aim of the school has changed.

In an era of growing support for and arguing over school choice, the increasing availability of vouchers is a potential lifesaver for Catholic schools struggling to remain open. It has undeniably made a difference for many schools, but it brings with it a threat to the fundamental nature and ethos of the school. That threat is the standardized test, or more to the point, the standardized test score. The more recent critics of voucher programs do not cite Establishment Clause issues. They question whether the voucher-accepting schools can justify the tax dollars that parents send their way. Schools are judged by students’ scores on standardized tests in math and reading. The test-score studies, while at first pretty uniformly positive, are more recently mixed. Both sides on the voucher battlefront can cite their own preferred studies. But that is not what concerns us here. What does matter is the danger that Catholic schools might come to define themselves, their mission, and their success on the basis of students’ test scores. The academic achievement of its students is one effect of the Catholic school ethos, but standardized test scores cannot be the substitute for ethos. The danger is in losing track of what matters. There are two other concerns about vouchers, from the Catholic’s rather than the critic’s perspective. First, it is reasonable to ask how Catholic schools can retain a Catholic ethos if very few of their students are Catholic. Second, money that comes via the
state—even though it may pass through the hands of parents—comes with strings attached. It is reasonable to ask if those strings will threaten teaching and learning in accordance with the tenets of Catholic anthropology.

At the same time, there is a movement that comes from the other direction, Catholic classical education. The emphasis in these schools is on the classics and Catholicity. Reading the classics, participating daily in traditional Catholic practices, learning Latin—in some cases, starting in kindergarten—are the basis of the curriculum. The movement is growing. The question is whether there will ever be enough of these schools to make a real impact.

My view is that the survival and growth of the Catholic school depends, really, on one thing: being undeniably and unabashedly Catholic. That is, after all, the reason for its existence.

The Unasked Question

Throughout its history, the Catholic school in America has had two non-conflicting goals: to make good Catholics and to make good American citizens. Given the great number of Catholic school closings in the last 50-plus years compared to the encouraging but much smaller number of school openings, it is reasonable to ask if either of these goals is in jeopardy and, if so, what difference it makes.

Catholic schools are of immense value to the Catholic Church. They participate in the Church’s mission to teach, specifically in the catechesis—the religious formation—of the next generation of Catholics. Cardinal Dolan has rightly observed that Catholic education is essential to Catholic life in America. The loss of Catholic schools is a loss to the Church. Unasked and unanswered, though, is what the shrinking number of Catholic schools means to civil society.
and—because Catholic schools are makers *par excellence* of good citizens—what it means to America.
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