

Declaration on the Authority of Parents and Guardians in the Education of their Children

Preamble

Coming from different religious, philosophical and cultural traditions we affirm, in the following common declaration, that the authority of parents and guardians to direct the education of their own children must be fully respected and accommodated by the state and by all those involved in education.

The best education

1. The human person is called to grow in goodness and truth by the right exercise of freedom. The highest goods of the human person are spiritual goods needed for this purpose. These include knowledge, certainly, but also and primarily virtues like love, justice, courage, wisdom and prudence, among others.¹
2. The best education inculcates, develops, and perfects the highest goods of the human person. Thus, the good and dignity of the child is best served by the transmission of ethical and moral norms, commonly though not exclusively within the context of religious belief. This is a fundamental aspect of education that is essential for the development and well-being of children and society.²

Primacy of parental authority

3. Since they have conferred life on their children, father and mother are obliged to educate them in a manner that favours the good and dignity of the child.³ With this natural obligation comes a primordial and inalienable authority to educate their own children that is neither dependent upon nor derived from the broader community or the state.⁴ Legal and *de facto* guardians of children have analogous obligations and authority.⁵
4. Parents and guardians should receive from society the necessary aid and assistance to perform their educational role properly.⁶ They may delegate some of their educational responsibility to trusted persons and institutions, including schools operated by communities, non-governmental or religious organizations or the state.
5. Parental primacy in the education of their own children is not only primacy in order of time and importance, but also in order of authority, regardless of religious affiliation. Parents and guardians retain this authority even when they delegate some of their responsibility to others who assist them.⁷
6. All other participants in the process of education carry out their responsibilities in the name of the parents and guardians and subject to their continuing informed consent. This may be presumed when parents or guardians voluntarily entrust their children to a teacher or school. This relationship is reflected in the traditional statement that teachers act *in loco parentis*.
7. Parents and guardians have a serious duty to commit themselves to a cordial and active relationship with teachers and school authorities, recognizing that teachers and school authorities must appropriately balance their responsibility and accountability to parents and guardians and to others. Teachers and school authorities, on the other hand, must uphold the primacy of parental authority in the education of their own children in all forms of collaboration with parents and guardians, and particularly in forms of participation designed to give citizens a voice in the functioning of schools and

in the formulation and implementation of educational policies.

Approaches to education

8. To ensure that their children receive the best education, parents and guardians may employ different methods. For example, they may educate their children at home, employ a tutor or teacher, or associate with other parents and guardians in a co-operative educational scheme.
9. Parents and guardians may also establish or support schools that educate their children in a manner that is consistent with their educational goals and moral or religious convictions. They have the right to maintain the integrity of these schools in the face of demands that would subvert the purpose for their existence.⁸ It is in the interests of society and the state and consistent with authentic pluralism to assist and support parents and guardians who take such an interest in the education of their children.

State schools

10. State schools exist to assist parents and guardians in the education of their children. Parents and guardians cannot be forced to surrender their authority, nor their freedom of conscience and religion, as a condition of enrolling their children in state schools.
11. A state school system must not become an instrument of compulsory cultural, ideological or religious assimilation on the grounds that the state or educational authorities know better than parents and guardians what is in the best interest of their children.⁹
12. A state school or educational system must consult with parents and guardians in developing broadly acceptable curriculum standards. If, despite appropriate consultation, the standards are unacceptable to some parents and guardians, they must be accommodated by acknowledging their authority to have their children refuse to participate in activities or assignments and to withdraw their children from objectionable classes. Neither the children nor other members of their family may be penalized or discriminated against for this decision.¹⁰

Transparency

13. In order to ensure the full accommodation of parental authority, all teaching materials must be open to examination by parents and guardians. Particular care must be taken that parents and guardians are directly advised, well in advance, when sexuality or other controversial or sensitive topics are to be discussed, and informed of their authority to withdraw their children. Parents and guardians cannot be excluded from any aspect of the education of their children. No one can bind children or young people to secrecy about the content and method of instruction.¹¹

Parent associations.

14. While parents and guardians should participate in organizations designed to give citizens a voice in the functioning of schools and in the formulation and implementation of educational policies, they may also act independently or in association with other parents and guardians to protect, maintain or fulfil their own mission as the primary educators of their children.

Notes

1. The need to raise children in a spirit of peace, friendship, universal brotherhood, equality, dignity, freedom, understanding, tolerance, and respect for freedom of religion and belief is formally acknowledged in several documents:

Convention on the Rights of the Child (1989) Preamble; Article 29 (1)d.
(<http://www2.ohchr.org/english/law/crc.htm>) Accessed 2011-07-03.

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981) Article 5 (3) (<http://www2.ohchr.org/english/law/religion.htm>)
Accessed 2011-07-03.

Convention against Discrimination in Education (1960) Article 5(1)a.
(<http://www2.ohchr.org/english/law/education.htm>) Accessed 2011-07-03.

2. *Universal Declaration of Human Rights* (1948) Article 18
(<http://www.ohchr.org/EN/UDHR/Pages/Language.aspx?LangID=eng>) Accessed 2011-07-03.

International Covenant on Civil and Political Rights (1966) Article 18 (1-3).
(<http://www2.ohchr.org/english/law/ccpr.htm>) Accessed 2011-07-03.

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981) Preamble, Article 1(1-3).
(<http://www2.ohchr.org/english/law/religion.htm>) Accessed 2011-07-03.

3. *Convention on the Rights of the Child* (1989) Preamble: “[T]he child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding.”
(<http://www2.ohchr.org/english/law/crc.htm>) Accessed 2011-07-03.

4. *Universal Declaration of Human Rights* (1948) Article 16 (1), (3); Article 26(3).
(<http://www.ohchr.org/EN/UDHR/Pages/Language.aspx?LangID=eng>) Accessed 2011-07-03.

International Covenant on Civil and Political Rights (1966) Article 23(1).
(<http://www2.ohchr.org/english/law/ccpr.htm>) Accessed 2011-07-04.

5. *Convention on the Rights of the Child* (1989) Article 5.
(<http://www2.ohchr.org/english/law/crc.htm>) Accessed 2011-07-04.

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981) Article 5(1), 5(4).

(<http://www2.ohchr.org/english/law/religion.htm>) Accessed 2011-07-04.

Convention against Discrimination in Education (1960) Article 5(b).
(<http://www2.ohchr.org/english/law/education.htm>) Accessed 2011-07-04.

6. “[T]he family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community.” *Convention on the Rights of the Child* (1989), Preamble.

(<http://www2.ohchr.org/english/law/crc.htm>) Accessed 2011-07-03.

International Covenant on Economic, Social and Cultural Rights (1966) Article 10(1).

(<http://www2.ohchr.org/english/law/cescr.htm>) Accessed 2011-07-04.

7. *Convention on the Rights of the Child* (1989) Article 5.

(<http://www2.ohchr.org/english/law/crc.htm>) Accessed 2011-07-04.

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981) Article 5(1, 2, 4). (<http://www2.ohchr.org/english/law/religion.htm>) Accessed 2011-07-04.

Convention against Discrimination in Education (1960) Article 5(1)b.

(<http://www2.ohchr.org/english/law/education.htm>) Accessed 2011-07-04.

8. *Convention on the Rights of the Child* (1989) Article 29(2).

(<http://www2.ohchr.org/english/law/crc.htm>) Accessed 2011-07-04.

Convention against Discrimination in Education (1960), Article 2, Article 5(1)b.

(<http://www2.ohchr.org/english/law/education.htm>) Accessed 2011-07-04.

International Covenant on Economic, Social and Cultural Rights (1966), Article 13(3-4).

(<http://www2.ohchr.org/english/law/cescr.htm>) Accessed 2011-07-04.

9. *Convention on the Rights of the Child* (1989) Article 29.1.c; Article 30.

(<http://www2.ohchr.org/english/law/crc.htm>) Accessed 2011-07-04.

“The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.” *Declaration on the Rights of the Child* (1959), Principle 7.

(http://www.canadiancrc.com/UN_CRC/UN_Declaration_on_the_Rights_of_the_Child.aspx)

Accessed 2011-07-04.

10. *International Covenant on Civil and Political Rights, International Covenant on Civil and Political Rights* (1966), Article 18(4) (<http://www2.ohchr.org/english/law/ccpr.htm>) Accessed

2011-07-04.

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981) Article 5(2).(<http://www2.ohchr.org/english/law/religion.htm>)

Accessed 2011-07-03.

Convention against Discrimination in Education (1960) Article 5(1)b.

(<http://www2.ohchr.org/english/law/education.htm>) Accessed 2011-07-04.

11. See note 10.

About the *Declaration*:

The *Declaration on the Authority of Parents and Guardians in the Education of their Children* is a statement drafted by the Catholic Civil Rights League (Canada) and offered to all people of good will who accept the principles it affirms. It does not depend upon particular religious beliefs. Subscribing to the *Declaration* does not imply association with or approval of the Catholic Church or the Catholic Civil Rights League.

The *Declaration*

- reminds state and educational authorities and others in positions of power and influence that parents and guardians are the first and most important protectors of their children;
- assists parents, guardians and others to assert and defend their authority when it is challenged or attacked;
- enables individuals, institutions and organizations to demonstrate their support for parents and guardians, who often feel isolated or marginalized when dealing with state or educational authorities or professionals.

How to use the *Declaration*

You may collect signatures from people in your community using the form on the last page of the *Declaration*, and present it with the signatures affixed to appropriate officials.

You may post or publish the *Declaration*, indicating how many persons in your community have signed it. However, you should not post or publish the names or addresses of those signing it without their permission.

You may form an association or society to support or circulate the *Declaration*.

You may adopt the *Declaration* as a statement of principles supported by an existing association or society.

Persons or organizations may, if they wish, notify the Catholic Civil Rights League (Canada) that they have signed the *Declaration* or formally support it. Contact the League at:

Catholic Civil Rights League
120 Eglinton Ave. E.
Toronto, Ontario,
Canada M4P 1E2

Tel: (416) 466-8244
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