

Religious Schools v. Children's Rights

James G. Dwyer

Cornell University Press (June 1998)

\$40.00 (204pp)

978-0-8014-3426-6

James G. Dwyer's blueprint for tightening government regulation of religious schools is the epitome of throwing out the baby with the bath water. Dwyer, visiting assistant professor in the Chicago-Kent School of Law, Illinois Institute of Technology, argues that many parochial schools—especially those run by Catholics and fundamentalist Protestants—fail to prepare children for careers and citizenship in a pluralistic democracy. They also infringe on children's basic liberties and even inflict psychological harm through “hellfire and damnation” religious teachings and sexist treatment of female students. That such abuse is permitted, he says, is but one manifestation of a legal system that treats children as mere chattel and their interests as secondary to those of their parents.

His solution? Abolish the concept of parental rights and substitute a legal framework that gives supremacy to children's rights and treats parenting as a mere privilege. Government then would base education standards on what it perceives as children's best interests from a secular perspective. All schools would have to meet these standards, whether or not they clash with the beliefs of parochial schools or parents. If that means censoring Bible lessons to weed out “sexism,” so be it. If it means forcing Catholic schools to provide sex education, apparently including discussions of contraception and abortion, damn the Pope and full speed ahead.

Dwyer acknowledges his program would have implications not just for schools, but for the parent-child relationship itself. To what extent is unclear, but one can only ponder the meaning of such jaw-dropping statements as: “... (P)arents and teachers may be required to give up some measure of their personal liberty as a condition for enjoying the privilege of participating in children's upbringing. For example, they might justifiably be proscribed from expressing sexist views in the presence of children in a way that damages children's self-esteem ...”

Putting aside the obvious questions of who decides what is “sexist” and who does the proscribing, is this man seriously proposing to deny anyone espousing politically incorrect opinions the “privilege” of having children?

He doesn't say. Indeed, Dwyer states up-front that “working out these practicalities is not one of my goals,” though he insists the effects would be largely benign for parents and educators who sincerely put children's interests first. Some readers may be reassured. Others may wonder whether putting this manifesto into practice would unleash a bureaucratic reign of terror that only Big Brother could appreciate. In any case, this book certainly will inspire lively and intense discussions.

(September / October 1998)

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