



6-2022

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### Recommended Citation

Prud'homme, J. (2022). The Potential of Catholic Schools: Public Virtues through Private Voucher. *Journal of Catholic Education*, 25 (1). <http://dx.doi.org/10.15365/joce.2501052022>

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*Journal of Catholic Education*

Spring 2022, Volume 25, Issue 1, 109-132

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<https://doi.org/10.15365/joce.2501052022>



## The Potential of Catholic Schools: Public Virtues through Private Voucher

Joseph Prud'homme<sup>1</sup>

**Abstract:** Recent US Supreme Court cases signal a likely increase in calls for K-12 school choice programs that include the option of enrolling in religious schools. In turn, criticism of religious school-inclusive school choice programming is likely to shift to policy and values-based critiques. This article addresses two allegations of Catholic primary and secondary school deficiencies in achieving objectives important to a pluralist society, allegations that would invalidate indirect state support of Catholic schools. By analyzing the aesthetics of Hans Georg Gadamer and Aristotelian moral theory in light of American Catholic schools' potential, this paper rejects claims that Catholic education is unlikely to meet core needs of a contemporary pluralist society.

**Keywords:** school choice, leadership, moral education, Gadamer, Aristotle, dramatic arts instruction

Philosophers of education have long debated the question of whether public or private primary and secondary schools provide students the best opportunity for educational success (Gross, 2018). This debate is now especially pronounced in terms of broad-based school choice programs, that is, initiatives extending tuition grants or tax credits to qualifying parents, making it easier for children to enroll in private schools—including, should parents choose, religious schools. Since programs of this nature permit state resources eventually to reach schools run by religious organizations, one major line of opposition has taken the form of constitutional challenges involving the separation of church and state.

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Church-state legal objections met significant setbacks at the state and federal level between years 1998 and 2002. In the first major case, opponents of a Wisconsin voucher program argued that school choice programs with a religious school option violated restrictions found in Wisconsin’s so-called Blaine Amendment, a restriction also found in 38 other states that prohibits public funding of sectarian institutions. In *Jackson v. Benson* (1998), the Wisconsin Supreme Court ruled that, since support is given to parents in the pursuit of free choice, state support used for religious school tuition does not violate the Blaine Amendment. In response, opponents marshalled a second constitutional challenge, one asserting that religious school-inclusive educational choice programs violate the federal Constitution’s Establishment Clause. However, the US Supreme Court (2002) found in *Zelman v. Simmons-Harris* that, since school choice programs extend support to parents and not to religious schools themselves, no violation of the Establishment Clause occurs either.

The Supreme Court dealt a further setback to religion-inclusive school choice in the important 2020 case of *Espinoza v. Montana Department of Revenue*. In *Espinoza*, the Court ruled that states may not create public programs easing access to private schools and limit the support only to those parents who would use the assistance to enroll in secular private schools. To do so, the Court held, is a violation of the First Amendment’s guarantee of religious free exercise (which is binding on states). The *Espinoza* decision largely disarms constitutional challenges based on Blaine Amendments by requiring that states either cease secular-only school choice programs or create an option for parents to choose state assistance for enrollment in either religious or secular schools.<sup>1</sup>

In light of *Jackson*, *Zelman*, and *Espinoza*, we should expect increased school choice programs nationwide. Just as school choice programs expanded after the legal victories in the late 1990s and 2000s (Komer & Grady, 2013, 8), we should expect expansion in the aftermath of *Espinoza*, leading to an increase in options for parents to choose enrollment in religious schools. Indeed, a range of

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<sup>1</sup> A further case currently before the United States Supreme Court could definitively dismantle the last constitutional restrictions on religion-inclusive school choice. In the case of *Carson v. Makin*, heard in oral argument in December of 2021, the Court wrestled with an unusual Maine law that addresses the remote reaches of this rural state. Since certain regions of the state are sparsely populated and a far distance from any public school, Maine uses, as part of its ordinary public school system, a voucher program for students in these remote regions. The law allows parents in these rural areas to enroll their children in any non-religious private school to compensate for the state’s inability to provide a nearby public school. Plaintiffs have alleged that this policy violates the logic of *Espinoza*. The state of Maine has argued that *Espinoza* only guarantees that states cannot ban state money in supplemental state educational programs and, even then, that the guarantee in *Espinoza* does not explicitly rule out a prohibition on state funds for a religious use, only prohibiting state funds from being restricted to a school because of the school’s religious status. However, the Supreme Court’s conservative majority “scoffed” at this distinction at oral argument (Howe 2021), and, in the eyes of many commentators, the Court appears likely to reject Maine’s distinction between a religious status and a religious use on the logic that religious status is meaningless if that status does not allow the use—or practical implementation—of that which constitutes the status—viz. the *beliefs* to which the school adheres (Gray 2021).

commentators has remarked that *Espinoza* will likely bring “a boon for school choice” (Sobic, 2020) resulting in “far-reaching” change (Dunn, 2020). Moreover, the logic of the *Espinoza* ruling could require states with charter schools—state-funded, often community-organized schools that operate under distinctive rules and with less state regulatory oversight—to certify and fund religiously affiliated charter schools, something states have not yet been authorized to do (Dunn, 2020). *Espinoza* holds that states which have chosen to afford parents public school supplementation cannot exclude them from using the state-granted benefit to enroll in religious schools. Dunn argues that, eventually, *Espinoza* may be interpreted even further. Dunn claims that some may view charter schools as analogous to private schools in the public school system and would therefore be allowed to indirectly receive state funds through school choice programs without respect to religious status. As a result, publicly funded charter programs could not limit funding to secular charter schools only (2020).<sup>2</sup> This reading would further expand state support of religiously affiliated schools.

In any event, constitutional challenges to educational choice programs that include options to enroll in religious schools are likely to play a far less central role in educational policy making. In turn, we should expect opposition to religious school-inclusive school choice programs to re-center on arguments about the direction of public policy in an effort to stop legislatures from either re-authorizing existing school choice programs or creating new ones.<sup>3</sup>

In this work I first address one policy-based argument against broad-based school choice, the assertion that assisting access to religious schools risks creating divisions within American education that will impede a diverse society’s members’ ability to live productively with one another. In response to this critique, I highlight research on the social outcomes of broad-based school choice programs which shows that religious school graduates demonstrate high levels of positive social behavior. This research renders unreliable the argument that broad-based school choice will undermine civic tolerance and comity in a diverse society.

I then address a more nuanced argument against state assistance in religious school enrollment, one that views broad-based school choice programs as harmful to a liberal democracy by failing to ensure the training of future leaders appropriate for a liberal polity—that is, leaders with the public virtues necessary for effective leadership in a pluralist democracy. Addressing this critique, which the likely expansion both of school choice proposals and corresponding criticisms of school choice programs renders all the more pressing, is best approached, I believe, through an interdisciplinary analysis. Focusing on Catholic schools in the United States, I offer here an

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<sup>2</sup> This position is also expressed by educational financing scholar Bruce D. Baker (2021).

<sup>3</sup> Indeed, Joe Biden’s successful presidential campaign in 2020 “ran on outspoken opposition to the efforts to use public funds to help children attend private schools,” and his administration is likely to call for states to engage in a “massive shift” in educational policy, which will engender a wide-ranging debate (Blad, 2020).

interdisciplinary assessment that brings together insights from educational law and policy, the philosophy of education, aesthetic theory, and Catholic theology. Through this interdisciplinary approach I argue, based in part on the thought of Hans George Gadamer, that Catholic schools are unlikely to hinder, and actually are quite likely to assist, the formation of a properly trained citizenry from which leaders in a liberal society can emerge. Further, viewing Catholic education in regard to Popes John Paul II, Benedict XVI, and Francis's teachings on the potential of art and arts education underscores this point.

### **Opposition to School Choice**

Given the likely expansion of efforts to adopt broad-based school choice initiatives following *Espinoza*, groups opposed to educational choice are likely to mobilize a range of non-constitutional criticisms. Claims likely to take on renewed importance include the assertion that school choice programs “decimate public education” by “siphon[ing] off public funds” from traditional public schools (Weingarten, cited in Modan, 2020) and arguments addressing testing outcomes for religious school enrollees (Boser, et al., 2018; Mills, et al., 2016; Lubienski, 2013). However, we should also expect a redoubling of arguments that extend beyond concerns over funding and scholastic outcomes, particularly ones that involve basic aspects of liberal democratic political thought. One such critique is that school choice measures which expand access to religious schools undermine the nation's educational efforts to fully develop in schoolchildren the skills necessary to exist in a highly diverse, contemporary, and liberal society. In fact, in the aftermath of *Espinoza*, one prominent educational theorist argued just this: “With racial unrest in the streets, competing narratives on the news, and advantage-seeking behavior in the voting process, the last thing we need to do is retreat from the singular institution that attempts to bind our nation together.” (Black, 2020) Black argues that the public schools collect children of all backgrounds in one public enterprise, and serve as nurseries of tolerance and respectful pluralism (Black, 2013, p. 457).

Such a position underscores long-held views against educational choice, such as the National Education Association's “Social Case Against Vouchers.” This argument holds that “the voucher system would only encourage economic, racial, ethnic, and religious stratification in our society,” but that America's “success has been built on our ability to unify our diverse populations” (NEA). Indeed, the claim that educational choice will have a negative impact on the political culture of a liberal democracy has been developed by prominent educational theorists including Gutmann (1999), Noddings (2007), and Berliner, the latter even asserting that voucher programs will allow “splintering along ethnic and racial lines,” such that American primary and secondary education “could end up resembling the ethnic cleansing... in Kosovo” (1999, p. 83).

Despite these concerns, choice programs involving religious schools have continued to make considerable advances. In addition to the legal authorization afforded by favorable court rulings,

this advancement is due in part to research which indicates concerns that greater access to religious schools will foment social fragmentation are overdrawn. Godwin and Ruderman, for example, document that students educated in religious schools in the United States have the same, if not more, levels of social trust and tolerance than public school graduates, and they demonstrate no increased prejudice levels and have a high level of willingness to engage in community service, including service in demographically diverse communities (2014, pp. 165-169).<sup>4</sup>

However, a further argument concerning the relationship between educational reform aiding religious schools and liberal democratic political thought addresses the development of a deeper set of capacities among students. McLaughlin defines a more comprehensive approach to character education as the “maximalist” position, in contrast to the “minimalist” approach defined by factors assessed by Godwin and Ruderman. Minimalist approaches seek to ensure the formation of “the citizen who is law abiding and public-spirited in the sense of helping neighbors through voluntary activity” (McLaughlin 2008a, p. 122). Godwin and Ruderman’s research indicates that graduates of religious schools express tolerance of difference and a willingness to engage in some civic collective action with diverse fellow citizens. Therefore, according to this research, religious school education is capable of securing this minimalist objective.

The maximalist objective, however, demands more. Maximalist views are “locatable on a continuum” (McLaughlin 2008a, p. 121). The most expansive of the maximalist conceptions involves the development of “the dispositions and capacities required for democratic citizenship generously conceived” (McLaughlin 2008a, p. 123. *Emphasis added*). That is, it entails the formation in schoolchildren of dispositions essential for public leadership—leadership exhibited through traits that go beyond those facilitating tolerance, comity among a diverse citizenry, and performance of minimal civic and community activities. We can call these further dispositions “public virtues” as they are necessary for public leaders to understand the wealth of difference in contemporary society and to empathize with the diverse communities in the contemporary world.<sup>5</sup>

Moreover, this issue broadens when the needs of leadership formation are related to the egalitarian premises of liberal democratic political thought. On such premises, all students deserve the ability to rise to the highest level of political influence that their skills, aptitudes, and ambitions permit. Every young pupil, in other words, deserves to be viewed by the state as a potential future legislator, governor, or jurist and to receive an education which does not unfairly prevent the development of skills often present in valued community leadership positions. The Association of

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<sup>4</sup> Data supporting this conclusion go back a number of years. In 2007 Wolf found that “the effect of private schooling or school choice on civic values is most often neutral or positive” (p. 70).

<sup>5</sup> The Institute for Democratic Education in America, for example, sees a core aspect of education as instilling young people with the skills “to be leaders” in “building” and sustaining a liberal society and thus sees schools as obligated to attend to the challenge of forging leadership-level abilities (Bennis, 2019).

American Colleges and Universities states that “all citizens are potential leaders” (Marcy, 2002). It would, therefore, be a scandal to the liberal egalitarian ethos for some students to, knowingly by the state, receive an education unfit for the developing of leadership-level abilities and potential.

Leadership scholars and political philosophers have debated which attributes are most needed and exhibited by exemplary leaders in the context of contemporary liberal democratic self-governance (Femia, Korosenyi & Slomp 2010, pp. 25-50). A consensus holds that at least a basic outline of outstanding leadership characteristics needed in a liberal democracy can be specified. At a minimum, these include what Rosenblum calls a “civic magnanimity” that expresses exceptional critical reasoning skills, a deep appreciation of the diverse values found in a pluralist society, and adaptability to changing circumstances.<sup>6</sup> In turn, the question arises as to whether religious school education can successfully secure these important characteristics.

A range of educational theorists has argued that religious schools are not so able, at least, not without “thick regulatory strings attached” (Dwyer, 2002, p. 340). Callan, for example, argues for a strong set of educational interventions that would impose substantial and invasive state inspection on any program of public support for religious schools (1988, 1997).<sup>7</sup> Theorists such as Callan and Dwyer argue that, with respect to all children whom its resources are deployed to educate, the state must work to ensure that, early in their education, they are exposed to a diversity of values, religions, and perspectives as a way to actively protect these students’ right to acquire the skills possessed both by responsible citizens, and, as far as each student’s natural talents and ambitions permit, the skills possessed by civic leaders in a liberal society. Since the best leaders have (among other traits) a profound openness to widely diverse viewpoints and the ability to critically assess, learn from, and act on each view, early childhood education which is paid for with state resources, even if indirectly through school choice programs, must strive to ensure that schoolchildren do not become set in their ways.

In this line of argument, Catholic schools tend to be among the primary targets. As Macedo remarks, an animating element in efforts to regulate private schools is precisely a “distrust” of many religious communities—arguably, especially Catholicism—and their educational objectives (2000, p. 204) for at least three reasons. First, the values of traditional Catholic thought are often seen as problematic in the contemporary pluralist world of liberal democracy. For example, Macedo argues that Catholic teachings about abortion and male priesthood “run afoul of equal freedom for women” (cited in Giles, 2001). Second, such tensions with considerations of equal freedom are especially troubling given the traditional Catholic educational emphasis on Aristotelian-inspired

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<sup>6</sup> Echoing Rosenblum, Macedo defines exemplary liberal traits as “broad sympathies, self-critical reflectiveness, willingness to experiment and to accept new things...and allegiance to...public reason” (1992, p. 220).

<sup>7</sup> Callan does not seek to overturn the parental right to enroll children in religious schools should parents pay for it, calling that excessively “Jacobin” (1997, pp. 23-4).

moral instruction. As one critic of school choice iterates, many Catholic educators “assume that the key to a happy, productive life is to live a life of virtue in the Aristotelian sense” (Nash, 1997, pp. 240-241), one best secured through an education in which intensive early instruction through a kind of moral habituation precedes critical engagement with the human good and is based on repeated practice under the direction of a moral exemplar (Kristjansson, 2007, 3).<sup>8</sup> Aristotle holds that the mind of the young is “like ground that is to nourish seed” (1179b25). The ground will either be seeded correctly or incorrectly—a sower’s work will be done one way or the other. Unless “the psyche” of the student has been properly “prepared by habits,” there is a great risk that the young person “would not listen to an argument turning him away [from error] or even comprehend it” (1179b26). As Reeve and other commentators note, habituation for Aristotle is therefore a preliminary or predicating process in respect to critical reasoning about ethical *tele* (1995, pp. 48-66). In the words Peters uses to describe Aristotelian-based early education, the “palace of reason” must be entered “through the courtyard of habit” (1966, p. 314). Given the influence of Aristotle on Catholic educational thought, critics assert that questionable values are likely to be embedded in young minds in a way that precludes critical engagement with alternative moral values. Third, McLeod adds that, although this problem can be found in a range of non-Catholic religious schools (such as certain conservative Protestant or Muslim schools), vouchers— notwithstanding *Zelman’s* focus on parental choice—would risk dividing the country in a way that favors Catholic schools given the “structural religious bias” in American private education, which, he argues, unfairly favors denominations with long-standing educational networks, and thus privileges “particularly Catholic schools” (2013, p. 334). In turn, the questionable values and educational modalities found in the nationwide network of long-standing Catholic schools would be disproportionately favored through religion-inclusive private school choice.<sup>9</sup>

This means that, for critics of contemporary school choice, any religious schools receiving support through school choice programs should require their early education children to participate in “social settings where the ‘correct’ religious affiliation and set of contestable values is not taken as settled,” an intervention meant to facilitate among young pupils “some psychological distance between the self, qua center of evaluation and choice, and any prior loyalties” (Callan, 1988, p. 375). Or as Macedo argues, young students should “be made aware of the possibility that religious imperatives . . . might in fact run afoul of guarantees of equal freedom” (cited in Gilles, 2001). Such heavy governmental regulation of religious schools could dictate changes to hiring practices and curricular design that infringe on core functions of Catholic schools.

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<sup>8</sup> In the Catholic context, of course, many Aristotelian ideas are refracted through Thomistic views. Aquinas endorses Aristotle’s contention that virtue requires initial training of the emotions, and requires repeated practice. See *Summa Theologica*, I-II: qq. 49-54 and q. 63, a. 2; *Disputed Questions on the Virtues*: q. 1, a. 9; and *Ethicorum/Commentary on the Nicomachean Ethics*: Book II, Lecture, 1252-253.

<sup>9</sup> In 2019, approximately 30% of all students enrolled in private schools attended Catholic schools (Wodon 2019, p. 3).

However, invasive state regulation of religious schools that enroll students receiving voucher or tax credits would face substantial resistance. These schools are already forbidden by law from favoring students in admissions on the basis of religion. Any further regulations would face considerable opposition. Additionally, federal case law runs counter to attempts to force schools receiving voucher-funded students to change their hiring practices, curricula, or mission statements in ways that would satisfy the educational vision of Callan, Dwyer, and Macedo. First, the logic of the *Zelman* ruling implies that, once state resources are entrusted to parents for their free choice, no further constitutional questions arise, thus allowing schools to maintain their core religious identities. Second, in *Bethel v. Salmon, Maryland Superintendent of Schools* (2020), a federal district court recently placed Maryland on notice that federal case law in areas of higher education is applicable to K-12 voucher programs, and that this body of law would not allow the state “[to] consider the school’s religious viewpoint” when certifying its status as a school eligible to receive students through Maryland’s new school choice program. The court underscored that the U.S. Supreme Court case of *Rosenberger v. University of Virginia* (1995)—a case which struck down differential treatment in higher education programs based on religious viewpoint—applies in the primary and secondary school context of educational choice, and that this case in turn prohibits states from favoring certain religions among the entirety of religious schools that comply with existing administrative regulations, rendering problematic any intervention altering religious mission in the ways desired by Callan, Macedo, and others.

Another reason case law runs against the goal of tight regulation of religious schools receiving school choice-aided students stems from an additional Supreme Court case rendered in 2020, *Our Lady of Guadalupe School v. Morrissey-Berru*. In this case, the Court ruled that if a religious school designates a teacher as performing a key function in the school’s religious mission, then the school is free, with respect to this employee, from most state regulations on employment practices under the so-called ministerial exception. This holding also serves to limit significantly the potential for intrusive religious school interventions of the sort critics seek.<sup>10</sup>

Since invasive regulations seem unlikely, and states cannot support only non-religious schools in educational choice programming, the conclusion seems rather inexorable to Callan, Macedo, and other critics: in order to avoid undermining students’ right to learn and develop the values of

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<sup>10</sup> The exact scope of this protection for religious schools under newly created state non-discrimination laws in terms of employees not designated as religious leaders is under litigation. See *Calvary Road Baptist Church v. Herring* (filed 2020, petition for reconsideration filed August 20, 2021). In *Fulton v. City of Philadelphia* (2021) the U.S. Supreme Court held that Philadelphia’s ordinance requiring private social service organizations to engage in foster care assignments that violate the sincerely held religious views of the private charities (in this case, Catholic Social Services) violates the Free Exercise clause of the federal Constitution. As school choice opponent Bruce D. Baker argues, the combined effect of *Espinoza* and *Fulton* is to “open the door more widely” to religious “operators” being free to receive state funds while remaining true to their core religious tenets without state restrictions (2021).

diversity and acceptance which define an effective leader in contemporary life (Kristjansson 2007, 24), states should simply refrain from school choice programs altogether.<sup>11</sup>

Moreover, the criticism of broad-based school choice based on the inability to educate students for leadership in a liberal society can also manifest as a critique that Catholic schools are unable to achieve their own pedagogical objectives. Many Catholic schools in the United States either currently or potentially receiving students funded by the assistance of voucher or tax credit programs are likely committed to forging, at the appropriate time, young minds that are in fact capable of fully understanding and sympathetically engaging the diversity that defines contemporary social life. Freddoso, for example, notes that to engage non-believers on their own terms with “integrity” and “charity,” showing their views in their best possible light, has “been a staple of the Christian and especially the Catholic educational tradition since the beginning” (1999, p. 239). The traditional expression of Catholic philosophical engagement with differences in moral value is through natural law reasoning, with the works of Thomas Aquinas providing a highly regarded source of insight. As Murray relates, what the natural law demands “is not understood in geometric fashion” (p. 331), but is rather known mostly in the fruit of experience (*Ethicorum*: 1, 3, n.38) through an exposure to the “customs of human life” (*Ethicorum*, 1, 4. Emphasis added). The apprehension of natural law truths, therefore, is a process which requires one’s survey of “the moral experience of humanity” (Murray 1960, p. 327). But as Hill reminds us, “Aquinas was well-aware that individuals can ‘get off the track,’” becoming “poorly educated or improperly influenced” (cited in *Catholic World Report*, 2016). Hence, Aquinas holds that in order to be an apt knower of the natural law, one must be able to stay ‘on track’ by resisting myopia or cognitive distortion and remaining genuinely open-minded. Hence, as Rommen notes, in discerning the natural law one must resist “a *doctrinaire* approach” (1936, Chpt. XIII. Emphasis added). Indeed, a rich tradition in natural law thinking, maintained by Catholic moral theologians and educational theorists including Fuchs (1965), Illathuparampil (2017), and others, holds that the key to understanding the natural law is to engage matters by opening oneself to a charitable construction of the full range of human experience—a point emphasized by the International Theological Commission’s document *In Search of a Universal Ethic: A New Look at the Natural Law* (2009), which emphasizes that the natural law as a moral standard can only be learned with broad, open-minded attention to the breadth of traditions and cultures of the world.

At the same time, however, many Catholic schools do indeed advance a strong conception

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<sup>11</sup> If Dunn and Baker are correct and the logic of *Espinoza* comes to be applied to charter schools, it would appear that many critics would ask for a serious reconsideration of charter school programs. Indeed, in light of *Espinoza and Fulton*, Baker assesses that, from a perspective favoring charters remaining “shielded from religious intrusion and all that comes with it,” the logical conclusion is, as he and Green maintain, to “dramatically curb expansion of charter schooling, or even halt the approval of new charter applications” (Baker 2021; Baker & Green 2020).

of early virtue formation in an effort to “exercise a kind of holistic influence” which develops moral habits in students’ early educations. McLaughlin calls this very point one of the central aspects of “the distinctiveness of Catholic schools” (2008b, p. 206)—a distinctiveness, however, that is problematic for many critics of school choice. Due to the early values instruction that might foreclose future open-minded assessment of contending values, critics can allege Catholic schools’ failure to realize their own internal objectives (MacMullen, 2007, p. 24)—at least, that is, absent substantial state interventions which these same schools are likely to resist, and which are unsupported by controlling federal case law.

### **Aesthetic Theory and the Potential of Catholic Schools**

A satisfactory answer to these criticisms, I argue, can emerge by utilizing the aesthetic theory of Gadamer in the context of Catholic educational thought and the potential of Catholic schools in the United States. I develop this contention through an interdisciplinary assessment involving six stages.

#### **Aesthetics and Self-Expansion**

In *Truth and Method* Gadamer writes extensively about beauty. A central insight in the aesthetic theory he sets forth is the idea of “spectatorship.” Gadamer asserts that whatever one registers as beautiful can be integrated into oneself in a deeply significant sense, and that admiration of beautiful objects, therefore, can displace in a real sense one’s antecedent self. If one is properly attuned to the beautiful, one can become a “spectator,” and “it is in the nature of the spectator to give himself in self-forgetfulness to what he is watching” (Gadamer, 1993, p. 111). Gadamer therefore holds that “[Aesthetic] [t]ransformation means that someone is suddenly and as a whole someone else. When we have found someone transformed [by the aesthetic] we mean precisely this, that he has become another person” (p. 111).

Moreover, the self-dispossession occasioned by a beautiful object, Gadamer thinks, requires one to perceive the object as making a significant claim (or claims) to a truth that can guide action; any other stance toward a beautiful object is a reduction of it to one’s antecedent purposes, and so cannot be counted as true artistic appreciation via spectatorship. In artistic apprehension, we can relate to art as if it were a part of ourselves, and in a manner that sees art as a conveyor of truth-claims; we can then internalize these truth-claims as significant and capable of action (Kelly 2004, p. 107; Gadamer, p. 106). As Czakon and Michna note, that “which [the spectator] cognizes during this experience is something important [and] significant” and “entails [the] constant possibility of referencing [it] into the private life of the spectator. In other words, we are dealing with a truth which can be used in everyday life of the individual.” (2015, p. 107). The truth-claim apprehended in art, therefore, is, in Aristotle’s terms, practical and not theoretical.

We can now investigate in greater detail what it means to relate to art such that it becomes part of oneself. Importantly, internal to the act of spectatorship is the practice of interpretation. As Negrin writes, “Even while the recipient, under the influence of the aesthetic consciousness [i.e., in the state of spectatorship] engages in ‘pure perception’ of the artwork and so as another person in the sense of being transformed [by it], s/he cannot avoid considering the meaning of that which is perceived” (1987, p. 358). Gadamer argues that “pure seeing and pure hearing are dogmatic abstractions which artificially reduce phenomena. Perception always includes meaning,” which comes through interpretation (p. 106). Gadamer’s point is thus that, through aesthetic spectatorship, the beautiful object becomes a part of one’s own self, and one interprets it as an aspect of oneself. Since interpretation occurs contemporaneously with the condition of spectatorship, one gives an interpretation of the beautiful object’s claim, and, critically, provides the object an interpretation uncolored by one’s antecedent thoughts or inclinations about the object (Gadamer, p. 333; Prendergast, 2004, p. 40).

### **Ethical Difference as Specimens of Beauty**

What can this contribute to debates over educational policy? Here we can see that Aristotle’s thought—which, as noted, is often considered a central part of the problem due to his teaching on the need for early, pre-critical habitation—can actually prove helpful. In *Metaphysics* 1078b1 Aristotle notes that “the most important kinds of the beautiful are order, symmetry and definiteness.” Beauty, therefore, is found in all three of these features, either separately or as a group. Cooper argues that we have plenty of reason for seeing these features as ascribable to practical action (1999, p. 273). For Aristotle states that “the most important kinds of the beautiful are order, symmetry and definiteness, and the mathematical sciences exhibit properties of these,” and therefore “those that say that the mathematical sciences say nothing about the beautiful...speak falsely” (*Meta.* 1078a38, p. 34). Aristotle claims here that beauty may be found in a range of phenomena, so long as the phenomena exemplify orderliness and definition.<sup>12</sup> On this basis, there’s ample reason for applying these same characteristics of the beautiful not only to mathematics, but also to human action. Cooper and Lear both argue that the marks of beautiful practical actions are that they are “ordered and definite” and “cohere with one’s prior acts and future plans” (Cooper, 1999, p. 274), and so display an “effective teleological” ordering of actions to one’s desired goals (Lear, 2006, p. 118).

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<sup>12</sup> See also *Poetics* Chapter 7: “every whole made up of parts” can be beautiful if it “presents an ordering in its parts” (145b34-6).

## **An Opening**

What this description entails is that if a student were to experience an aesthetic embrace of moral difference later in their education, interesting implications would follow. If, per Gadamer's insight, moral difference—that is, alternative understandings of moral value—were at a later stage in a child's education to become a part of the self of that student, the integration of the beauty of this moral difference into the sense of self of the student-cum-spectator would be registered as a part of that student, and thus would be seen by this spectator-student without the coloring of antecedently engrained moral habits. Hence, this student would in regard to actions that are from her perspective morally false, yet which are expressed in an ordered way, come to develop a respectful embrace of the beauty found in the orderliness of these structured but morally false actions. To be sure, the person habituated to an initial set of values might be inclined by her earlier habituation to see the actions which reflect an incorrect moral end as less beautiful than the values her early habituation has instilled. But that only means that the ordered instance of moral difference would be seen as less beautiful, not that it would not be seen as beautiful at all. However, once seen as beautiful—even if to a lesser degree—spectatorship can obtain, occasioning in turn self-dispossession and the assumption of difference into one's sense of self. As such, the newly appropriated set of actions could themselves become, through the interpretation inherent in spectatorship, comprehended and interpreted as one's own personal values, free from one's past instruction.

After a number of such experiences that have empowered the student to assume into her sense of self a range of different moral viewpoints, the result would be for that student a critical engagement in *foro interno* with a breadth of ordered ethical difference. That is, the student would be able to reflect on these various values, each having been engaged on its own terms and given a robust defense, and the student could then decide which value is most convincing. This would entail an overcoming of the problem Callan and others bewail by the way it would empower the student to assess values from a critical vantage point relative to the student's antecedent self, allowing the student to embody the 'civic magnanimity' which is a core aspect of the 'public virtues' described above.

## **The Potential of Dramatic Arts**

Immediately, questions arise as to how such an aesthetic embrace would come to take place. Gadamer recognizes that, in an encounter with the beautiful, entering into the condition of spectatorship does not come automatically. It comes only after developing a true attentiveness to an artistic object. "[Aesthetic] [s]elf-forgetfulness is [not] a primitive condition," Gadamer notes, "for it arises from the attention to the object, which is the positive act of the spectator," since "obviously there is an important difference between a spectator who gives himself entirely to...art, and someone who merely gapes at something out of curiosity" (p. 126). Becoming a spectator requires

serious attentive engagement. But how can one secure such engagement?

Dramatic arts participation and appreciation are curricular areas that afford students an especially promising possibility of cultivating spectatorship. Indeed, Aristotle himself notes that effective drama is suffused with order. In the *Poetics*, he argues that effective drama is structured in a way to highlight particularly important topics through an ordered presentation. Good drama has an effective and ordered plot and, as a result, is beautiful. In addition, the plot in effective drama also contains individuals who possess what Aristotle calls “manners,” by which he means a discernibly ordered character manifested on stage (*Poetics* 6.1450b8). Hence, to Aristotle, drama makes visible the ordered acts flowing from the ordered characters exhibited by the *dramatis personae*. Given these criteria are met, drama provides a potential curricular intervention that could elicit spectatorship of contrasting moral positions.

In fact, research in dramatic arts production and audience appreciation education established by Prendergast shows the possibility of forging meaningful curricula for spectatorship cultivation. This can be accomplished by what Prendergast calls “audience-in-performance” theatre arts pedagogy (2004 and 2008). This curriculum has four components. First, students read plays whose content demonstrates clearly defined opposing moral understandings among protagonists. Second, students engage in small-group discussions to identify contrasting moral perspectives. Third, students attend a staged performance of the dramatic pieces conducted by experienced (although not necessarily professional) actors, followed by an analysis of the actors’ portrayal of their characters’ moral perspectives. Finally, students are challenged to perform the same play themselves, and to reflect afterwards on how the characters’ values were brought to life in their performance (Prendergast, 2004, pp. 48-50). Through this multi-tiered curriculum, Prendergast argues that we can indeed “teach spectatorship” (2008, pp. 100-110).

### **Can Contemporary Moral Difference Be Apprehended through Spectatorship?**

One objection to engagement with alternative moral views through spectatorship could be that many actions with which individuals might disagree may not disclose any substantial order. For example, actions undertaken only because they are perceived as obeying isolated divine commands could potentially be disjointed or inconsistent. That is, if ethics is for an individual only about following a command to practice one rule after another (e.g. avoid wool here and meat there), one’s overall ethical life might be a disjointed farrago of distinct acts. How could a moral orientation of this kind be seen as a specimen of an *ordered* moral life and thus seen as beautiful and resultantly appropriated through spectatorship? In other words, how much difference in moral values is actually exhibited through opposing yet ordered sets of actions?

It helps to note that Aristotle believes that the morally vicious are only one type of people, a point that highlights the potentially broad scope of ordered practical action. As Irwin argues, the

vicious are for Aristotle those who pursue the satisfaction of their given inclinations, whatever they may be. Irwin notes that “Aristotle suggests that when we consider vicious people...we are not thinking of people who simply have alternative conceptions of virtue. For vicious people not only do not raise, but also refuse to raise, the questions that a virtuous person raises; for they believe practical reason cannot answer these questions, and that [reason tells them to...] follow their inclinations” (2001, p. 89, 95). On this view, to be vicious is to act out of a stable disposition born of choice (*NE* 1150a19) to pursue the satisfaction of given inclinations, whatever they be, as one’s final end—which could well manifest great disorder. Irwin’s interpretation, however, opens the possibility of ordered and incorrect, yet non-vicious action as a category of moral difference. On this reading, someone who has an ordered understanding of the good that does *not* identify it with the pursuit of the satisfaction of whatever their immediate inclinations are could be wrong, yet not vicious.

Aristotle is pointing us to the idea that the scope of ordered but morally incorrect action is likely quite wide. This point can be further underscored in reference to *Poetics* Chapter 4. There Aristotle maintains that “objects which in themselves we view with pain” we nevertheless can “delight to view the most realistic representations of in art,” even including such objects as “the lowest animals and...dead bodies” (1448b10-12). Although Aristotle proceeds to state that the delight in knowing is the principal cause of delight in accurate representations of low value things, it does seem, as Laddy observes, that the delight is also partially “an aesthetic delight” owing to the orderly representation of even “the lowest” phenomena (2014). Actions and ways of living one initially views as low-value can, Aristotle suggests, be seen as beautiful and therefore embraced in spectatorship, given they instantiate order. Accordingly, the range of actions and ways of living that are apprehensible as beautiful is likely to be quite wide, avoiding a potential concern that a large number of opposing moral expressions in our contemporary pluralist world would be out of bounds for an embrace by spectatorship through dramatic arts curricula.

### **Dramatic Arts, Empathic Missiology, and Philosophical Instruction**

Dramatic arts are a mainstay of Catholic primary and secondary education in the United States. The Catholic Education Office of the St. Louis Archdiocese, for example, affirms categorically that “Catholic Fine and Dramatic Arts Education originates with the recognition that each of us has the capacity for thinking and living artistically...fine and dramatic arts education is an *essential* part of the Catholic school curriculum” (n.d. Emphasis Added). This position is fortified by such national programs as The Catholic University of America’s High School Drama Institute. Although often an extra-curricular experience only, there is opportunity within Catholic schools to seize on the findings of Prendergast and expand dramatic arts instruction through course work or broadened extra-curricular activities.

Indeed, as many educational theorists have noted, Catholic schools have an advantage over many public schools in this area. As Ravitch demonstrates, public schools face a “national obsession with testing” that leads to a “narrowing of the curriculum” that forces many to “reduce the time for the arts” (2014, p. 112, 122) and to limit the curriculum “to the exclusion of the arts and the full capaciousness of culture” (Kozol 2013). Although curricular time is always in short supply, Catholic schools in the United States do face less state-mandated, time-consuming testing pressures (Lindenberger 2020). Further, as the National Center for Educational Statistics documents, most Catholic schools still offer smaller class sizes and student-teacher ratios than most public schools, allowing for greater opportunities for small-group work in dramatic arts curricular or extra-curricular activities (NCES, pp. 205.45, 208.20).

Nevertheless, it could be countered that despite these potentialities, there is little reason to believe that religious schools would perform dramatic works that could be seen as promoting opposing teachings to its affiliated church or denomination. However, in regard to Catholic education when viewed from the internal Catholic perspective, three points drawn from the teachings of Popes John Paul II, Benedict XVI, and Francis challenge this critique.

First, each of these popes has emphasized the role of deep empathy in contemporary Catholic missiology. Drawing on the thrust of the Second Vatican Council, Cardinal Ratzinger stated in 1996, “the Church must expose herself to the problems of our age in a radically new way” (96). Francis has powerfully expanded this orientation. He says the Church must go to “the outskirts of existence” so that a “culture of encounter” with all who “think differently and hold other beliefs” will allow the Church ever to be “going out to meet everyone” (2014, pp. 99-100).

This encounter aims for radicality in the approach to difference. The Church, Francis writes in *Evangelii Gaudium*, must be “willing to abase itself if necessary,” becoming in the process a Church which, instead of “clinging to its own security” is one that becomes, in a sense, “bruised, hurting and dirty because it has been out in the streets” (sections 24, 49). The Church’s evangelism involves exposure to and encounter with all the world sets forth, its many errors not excluded.

Art, including dramatic art, can play a vital role in this encounter. John Paul II was, in his early life, an actor for whom drama played a central role in his phenomenological theology. As Weigel documents, John Paul embraced throughout his life “the theater of the inner word” where through dramatic and literary arts humans “open up, through the materials of this world” the “dramatic structures of every human life” (37, 38). Indeed, in his *Letter to Artists*, John Paul maintained that “even in situations where *culture and the Church are far apart*, art remains a kind of bridge,” for “in so far as it seeks the beautiful, fruit of an imagination which rises above the everyday, art is by its nature a kind of appeal to the mystery of redemption...[e]ven when [it] explore[s] the darkest depths of the soul or the most *unsettling aspects of evil*...” (sect. 10. Emphasis added). Hence, John Paul’s thought does not eschew artistic expressions of, what is for the Church, moral error. As Bishop

Conley notes, Pope Benedict also emphasized the importance of forging meaningful connections with a range of artists including with many secular, agnostic, and atheist directors and dramaturges (cited in Donadio 2009). Pope Francis also emphasizes this point. Through art, he writes, “we generate empathy, the ability to understand others...We sense a bond with them, a bond no longer vague, but real,” one in turn which “frees us from the desire to dominate others, [and] makes us sensitive to their difficulties” (cited in Vatican News 2020).

Third, from a Catholic perspective, the Church will never mire in what it takes to be moral error. As Ratzinger continues after counseling a radical embrace by the Church of the wider world—however far the world may have strayed from her teachings: “so too must culture be questioned anew” (p. 96). There must be subsequent critical engagement with what is first embraced in a radical way. The Church, in turn, has a rich tradition of rational assessment through philosophical analysis of the world surrounding her. True to this history, US Catholic secondary schools are known to most consistently offer high school instruction in philosophy, a discipline grounded in rational and critical assessment of a range of moral values. The American Philosophical Association reports that “parochial schools offer the most consistent opportunities for teaching philosophy” below the collegiate level. Reinforcing the tradition of philosophical instruction in Catholic schools are the findings of Klening, which show that a robust level of trust in teachers and administrators is necessary for both students and parents to allow critical reasoning such as philosophy to be thoroughly engaged in high school curricula (2018, pp. 133-143). Evidence indicates that “parents who can choose private schools are more satisfied with their child’s school” (Rhinesmith 2017, p. 585). This in turn results in higher levels of trust in the schools’ staff and curricula, allowing for parents to accept courses, such as philosophy, that expose students to contending values. For these reasons, philosophy courses can further be seen as deeply rooted within Catholic secondary education.

Dramatic arts in a Catholic high school context, therefore, could facilitate the understanding of moral differences, and work in courses in philosophy could provide the detailed critical examination—examination informed by the instruction in the arts and so opened to a wide variety of perspectives and views. Indeed, as Catholic philosopher O’Connell argues, the true student of ethics and the natural law must be one capable of “self-transcendence”; they must be able to go beyond their early instruction and habituation to reach a truly critical vantage point (1990, p. 144). Contemporary Catholic natural law theorist Gula reiterates just how aesthetics can complement engagement with the variety of human values by arguing that “reason is not to be construed in the narrow sense of logic or analysis...but entails the totality [of the human person] and so includes observation and research, intuition, common sense, affection, and *an aesthetic sense*” of all that speaks to the human condition (1989, p. 77. Emphasis added).

A conjunction of sympathetic understanding of moral difference through dramatic arts, and a zetetic assessment of contending values through philosophy instruction could secure just such a

self-transcending critical assessment of the values students may have been inculcated earlier in their education.

This conclusion allows us to hold—at a time when Catholic education is likely to gain opportunities both for growth and renewed criticism—that Catholic schools can instill values early, while cultivating a deep capacity for critical openness later in the educational process. As such, Catholic schools can indeed fulfill the charge of supplying contemporary society with open-minded, empathic, and critically engaged public leaders.

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