

LUX EDMUNDI: SEPTEMBER, 2015

On Friday, 4th September, 2015, Justice Hedigan of the High Court issued his judgement in the matter of Secular Schools Ireland Ltd and the Minister for Education and Skills, Ireland and the Attorney General ([2015] IEHC 565). In effect, the application for a judicial review of the decision of the Minister to refuse SSI patronage of a new primary school in Carrigtwohill, Co. Cork, failed because the court deemed SSI had not satisfied the official requirements for such recognition.

One of these requirements is that the applicant for patronage would show how a school under its aegis would provide for extending or strengthening diversity of provision in the area in question. A prospective patron must, it seems, demonstrate that the educational ethos of its foundation would be different in some – presumably substantial – way to the ethos of any other school or schools already established in the general locality.

It is interesting this time of year, when more and more schools in the Republic of Ireland - mostly post-primary, but, increasingly, primary, and, indeed, even Montessori - organise and publicise open sessions of one kind or another with a view to convincing those parents who attend to enrol their sons and/or daughters in the given school for the following academic year.

Schools *qua* schools have much in common. No surprise then that, irrespective of patronage or ethos, at open sessions – as on school and trust websites - there is considerable overlap in the information presented, especially concerning academic matters. All schools offer a full curriculum and, directly or indirectly, intimate a commitment to, and a capacity for, excellence in teaching and learning. Some go further and supply data suggesting their pupils out-perform those of other schools in examination results. Most schools would seem to offer, too, a more or less extensive range of co- and extra-curricular activities appropriate to their respective circumstances and students.

All of this information contributes, at least implicitly, to our understanding of the ethos, the characteristic spirit, the values, of the school in question. More explicit in this regard are the equally common assurances that the school is open, welcoming and inclusive. It seems that, again irrespective of patronage, all our schools appreciate and accommodate diversity, howsoever that might be defined. Again, given the legal framework in which they all must operate, it is, on reflection, not too surprising that our different schools, patrons and trust bodies should insist, in effect, that they do not discriminate on any of the grounds expressly covered by equality legislation.

It is, of course, a feature of educational provision in Ireland that so many of our recognised schools are faith-based, Christian and, indeed, Catholic. Certainly on the relevant websites, and, also, it may be hoped, in the speeches made, and the information distributed, at and in association with the open sessions, Catholic schools emphasise their Catholicity. This is as it should be, not least because, as indicated, all our recognised schools have so much in common. This ethical specification is something a school owes itself, its history, its tradition, its patron and its trust body, its staff, parents and pupils, actual and prospective. It must be readily discernible that and how Christ, the Good News proclaimed in and by him, conditions - and, indeed, determines - what the school is and what it is about. It is, in fact, this grounding in Christ, and in the Church which is his Body, which alone will ensure that the ethos, the characteristic spirit, of Catholic schools will differ, really, substantially and demonstrably, from that of schools established by, say, SSI, when, with the help of God, it is granted recognition as a school patron for the specific and express purpose of providing a secular education.