



***Education and Catechesis of Children:  
Rights of Parents and Bishops***  
*Reverend Langes J. Silva, JCD, STL*  
*Judicial Vicar / Vice-Chancellor*

***Part I***

**Introduction**

My presentation, which will be delivered in five parts, will identify the Canons from our current Code of Canon Law that pertain to the rights of Church authorities with regard to the religious education and sacramental preparation of children. I will present also an examination of the various canonical references to the rights of parents regarding the education of their children, with an intentional task of highlighting their role in the teaching and sanctifying mission of the Church. The issue of home-catechesis will be presented, with brief information regarding several particular home-study organizations. Finally, I will conclude with some suggestions for various solutions for possible conflicts in the parish and the diocesan level.

Let me begin by saying that it has come to my attention that some parents have found themselves in difficult situations regarding the issue of religious education and sacramental preparation of children. Some of them are seriously interested in passing to their children certain doctrinal or devotional values that they do not find clearly identify in the CCD programs of their own parishes; some others believe that the programs offered in their local parishes are poorly run and taught by well-intentioned but inadequate parish volunteers. Because of this, some parents decide to assume themselves the task of preparing their children for first reception of Eucharist and Penance. The issue of parents home-catechizing their own children has become, in some areas of the United States, a rather contentious one, putting parents against pastor and bishop. As a matter of fact, the controversy of the bishop's right versus the parent's right to catechize their children has prompted the establishment of a number of home-study schools and support groups in the United States. It has been reported in the past decades that over 1.2 million children per year in the United States were being home-schooled, 50,000 of them per year are Catholic and, apparently, numbers continue to increase.

Let us continue by saying that the teaching ministry of the Church under the Code of Canon Law of 1917 was reserved only to the members of the church hierarchy. But the distinction between what was referred to as the teaching church and the learning church faded as Vatican II teachings took hold. The ministry of teaching was opened to the entire People of God, in virtue of their baptism and confirmation and membership in the Church; and it became the responsibility of the entire Body of Christ, including bishops, pastors and parents to make believers of all and to see that the Word of God is taught. Because all catechesis is an action by the Church, bishops and, by extension pastors, take very seriously their right and responsibility to teach children the faith and prepare them for the sacraments. Parents, too, fully share in this very important mission of the Church and are especially charged with this responsibility with regard to their own children. In fact, the role of parents in both the teaching and sanctifying offices of the Church is greatly enhanced in our current 1983 Code of Canon Law and attests very strongly to the fact that is their duty and right.

Pope John Paul II states in the Apostolic Exhortation *Catechesi tradendae* of October 19, 1979 that the whole of catechetical work implies that collaboration must take place between Church authorities and parents:

*“...the name catechesis was given to the whole of the efforts within the Church to make disciples, to help people to believe that Jesus is the Son of God, so that believing they might have life in his name, and to educate and instruct them in this life and thus build up the Body of Christ.”*

The recent discussion regarding the rights of church authorities and parents regarding the religious education of their children and, specifically regarding home-catechesis, calls for an examination of the claims that each makes as well as the canonical basis that each utilizes to support their respective rights in this area. The issue involves not only the right of parents in the religious education and sacramental preparation of their children versus the right of the bishop but also the rights of a child to be admitted to first reception of the sacraments, the rights of the pastor when parents decide to home-catechize and the rights of parents to recourse when their rights are restricted or even denied.

During the next few weeks, we will focus our attention on the following areas:

- I. The canonical basis for Bishops as Catechists;
- II. The canonical basis for parents as religious educators of their children;
- III. Home-Catechesis;
- IV. Conclusion.

In Part II, we will deal with the issue of the role of the Bishop as Catechist and a Master of doctrine of his diocese, his rights and duties regarding education of children in his local Church.

[Sources: *CLSA, Proceedings of the Sixty-Second Annual Convention*, Arlington, Virginia, 2000, pp.63-92].



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***Part II***

**Introduction**

The current series on education and catechesis for children presents an overview of the main Canons from our current Code of Canon Law, pertaining to the rights of Church authorities with regard to the religious education and sacramental preparation of children. This series was introduced by a general consideration regarding the matter; in this Part II, I am presenting the role of the diocesan bishop as a Catechist and a Master of his local Church. In the remaining Parts, I will present also an examination of the various canonical references to the rights of parents regarding the education of their children, with an intentional task of highlighting their role in the teaching and sanctifying mission of the Church. The issue of home-catechesis will be presented, with brief information regarding several particular home-study organizations. Finally, I will conclude with some suggestions for various solutions to the conflict.

**I. The canonical basis for Bishops as Catechists**

There are two distinct sources of the right to provide religious education to children; one by virtue of baptism and confirmation and the other by a hierarchical qualification. Bishops, in particular, receive a mandate to teach based on their episcopal consecration and canonical mission. The bishop acts as the Vicar of Christ when he teaches in his own diocese; he is both a servant of the Word and a servant to the people of his diocese. He is the catechist par excellence in the particular church in which he serves; and as such, he is to coordinate all catechetical activity in the diocese. We then can affirm that, catechesis depends directly on the bishop's role in the hierarchy of the Church.

The bishop's role as chief catechist is underscored in various conciliar and postconciliar documents; for example, the decree on the pastoral office of bishops in the Church,

*Christus dominus* no. 14, dedicates an entire paragraph to the catechetical duties of the bishop emphasizing that “*bishops should be especially concerned about catechetical instruction.*” Pope John Paul II in *Catechesi tradendae* no. 63 stressed that “*the chief management of catechesis*” depends directly on the hierarchy as primary responsibility. The *Directory on the Pastoral Ministry of Bishops* no. 6, from February 22 of 1973, asks each bishop to promote, regulate, and supervise “an ordered catechesis. These statements are clear and unequivocal as to the role of the bishop and the importance of catechesis in his office.

The bishop’s role as catechist also appears in the canons of the teaching office of the Church in our current Code of Canon Law. There are a series of groups of canons from our canonical legislation that underscore the concern the Council Fathers had for catechesis and emphasize the role of the bishop and the Church in general. I am going to outline a brief systematic schema of canons dealing with the issue in question by presenting them in four groups.

The first group of canons defines duties and responsibilities in the function of proclaiming the gospel:

**Canon 747, §1** states that the Church “*has the duty and innate right to preach the gospel to all peoples.*”

**Canon 794, §1**, which implies canon 747, is drawn directly from the declaration on Christian education, *Gravissimum educationis*, of October 28, 1965, assigns the primary role of education to the Church, to whom “*the duty and right of educating belongs in a special way*” and to whom the Church’s mission “*has been divinely entrusted.*”

**Canon 386, §1** states that the diocesan bishop is to take care that the whole of Christian teaching is handed on.

**Canon 753** defines the bishops as authentic teachers and instructors of the faith.

**Canon 756, §2**, regarding the ministry of the divine Word, establishes competence for the Pope and the bishops.

A second group of canons from our canonical legislation deals with the functional issue that the diocesan bishop is to ensure that the faith of the Church is adequately communicated in catechesis by approving contents of catechesis and correcting errors with proper authority:

**Canon 392, §2** points out that the bishop is to exercise vigilance so that abuses do not creep into ecclesiastical discipline, especially regarding the ministry of the word and the celebration of the sacraments.

**Canon 774, §1** reiterates that all type of catechesis are under the supervision of legitimate ecclesiastical authority.

**Canon 775, §1** presents an explicit directive by saying that “*it is for the diocesan bishop to issue norms for catechesis, to make provision that suitable instruments for catechesis are available, even by preparing a catechism, if it seems opportune, and to foster and coordinate catechetical endeavors.*”

**Canon 780** directs that the diocesan bishop is a supervisor of catechesis and he is to ensure that catechists are duly prepared to fulfill their function properly, and that they learn in theory and practice the methods proper to the teaching discipline.

A third group of canons underscore the bishop’s rights regarding Catholic religious education, for example **Canons 800 to 807**. **Canon 827, §1** specifies that it is the local ordinary who approves catechisms and other writings pertaining to catechetical instruction.

A fourth group of canons defines the rights and responsibilities of those who catechize:

**Canon 757** refers to pastors as *co-workers* of the bishops, and **Canon 773** refers to *pastors of souls*; these terms reflect the fact that pastors, under the leadership of the bishop, are shepherds in their own right and are entrusted with a specific pastoral mission – the care of souls. As pastors they share in the teaching office and are the coordinators of catechetical activity in the parish.

**Canon 776** exhorts pastors to provide for the catechetical formation of children and to *promote and foster the role of parents in family catechesis*.

**Canon 777** enlists the pastor to take care in a special way that suitable catechesis is imparted for the celebration of the sacraments.

Other canons that refer that underscore the pastor’s responsibilities include **Canon 794, §2, 773, 823, §1, 843, §2, 890 and 529, §1**.

In Part III, I will present the canonical basis for parents as religious educators of their children.



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***Part III***

**Introduction**

The current series on education and catechesis for children presents an overview of the main Canons from our current Code of Canon Law, pertaining to the rights of Church authorities with regard to the religious education and sacramental preparation of children. In Part I, this series was introduced by a general consideration regarding the matter. In Part II, I have presented the role of the diocesan bishop as a Catechist and a Master of his local Church. In this Part III, I am going through an examination of the various canonical references to the rights of parents regarding the education of their children, with an intentional task of highlighting their role in the teaching and sanctifying mission of the Church. In the remaining parts, IV and V, the issue of home-catechesis will be presented, with brief information regarding several particular home-study organizations. Finally, I will conclude with some suggestions for various solutions to the conflict.

**II. The canonical basis for parents as religious educators of their children**

Vatican II changed the perspective of the Code of Canon Law of 1917 where the role of parents in the religious education of their children was a largely inactive one. Vatican II presented the call that parents accept their role as primary educators of their children. Since that moment, no longer was catechesis a responsibility that pertained solely to the ministerial priesthood. It came to be seen as a shared responsibility of Christ's faithful and a duty and right given first and foremost to parents because of their unique and intimate relationship with their children. Therefore, it is an irreplaceable and inalienable right of parents rooted in both natural and divine law and which is resounded in scripture as it speaks to the religious legacy that parents are to pass on to their children. This part of this article will highlight three different aspects of parental responsibilities and rights in reference to the religious education of children:

## A. The Marriage Covenant and Catechesis

These rights and responsibilities of parents are rooted within the context of the marital union. Our current Code of Canon Law emphasizes that marriage is ordered to both the procreation and education of children. These two are intimately intertwined, with education a continuous and natural progression from procreation. In fact, the procreation and education of one's children is viewed by the Church as so important that it is seen as one of the essential elements that is linked to marriage by natural law.

It was Saint Augustine who wrote on the topic of *educatio prolis* (education of children), who defined the procreation and education of children as a *bonum* of marriage (good of marriage). This *bonum*, referred by Saint Augustine, was not limited to the act of procreation only but included the care and raising of offspring, as well as their spiritual education. The education of offspring was seen to be two-fold: first, providing for the physical needs of the offspring and secondly, guiding their moral and spiritual development. The jurisprudence of the supreme tribunal of the Roman Rota has established that the *educatio prolis* is part of the *bonum prolis*, which constitutes it as an essential element of marital consent. Exclusion of the *bonum prolis* (good of children), which includes the education of children, by a positive act of the will, can result in the nullity of the marital consent.

## B. Parents' Catechetical Rights

The sixteen documents that resulted from Vatican II categorically affirm the primary role of parents in the education and formation of their children, and together they emphasize in varying degrees the special sacramental role of the family in faith formation and the religious education of children by parents according to Vatican II teaching in the Pastoral Constitution on the Church in the modern world, *Gaudium et Spes* no. 6:

*"...parents are consecrated by the sacrament of marriage to a specific function: they are active co-workers in the salvific and evangelizing mission of the Church, a service they perform by their educational duties toward their children."*

*Gravissimum educationis* no. 23 states that "parents must be acknowledged as the first and foremost educators of their children." This right of parents as the chief transmitters of the faith to their children is also called "*essential, original, primary and irreplaceable*" in *Familiaris Consortio* from Pope John Paul II. In 1994, through the Holy Father's *Letter to Families* n. 16, he states that parents "*are educators because they are parents.*" These documents, especially the *Declaration on Christian Education*, have become the cornerstone of the 1983 Code of Canon Law in its emphasis on the responsibilities and rights of parents in the religious education of their children.

The basis for all canons on parental rights and duties is found in Canon 1055, the first of the canons on marriage; its placement establishes it as a key norm for interpreting the canons on parental rights and responsibilities toward children:

*“§1. The sacramental covenant, by which a man and a woman establish between themselves a partnership of the whole of life and which is ordered by its nature to the good of the spouses and the procreation and education of offspring, has been raised by Christ the Lord to the dignity of a sacrament between baptized.”*

The role of parents in the total and comprehensive education of their children is a recurring theme in the current Code of Canon Law in Books II, III and IV under the rights and obligations of the Christian faithful, the teaching office, marriage and sanctifying office. Parents are the first catechists in the lives of their children and are primary responsible for passing on the faith to them. The canons in our current canonical legislation identify parents as the primary educators of their children; this right is emphasized and encouraged in the canons on catechesis but especially in **Canon 226, §2** which clearly states a basic right of parents:

*“Since they have given life to their children, parents have a most grave obligation and possess the right to educate them. Therefore, it is for Christian parents particularly to take care of the Christian education of their children according to the doctrine handed on by the Church.”*

The following canons should be taken into serious consideration regarding the issue of education of children:

**Canon 1136** repeats the exhortation, *“Parents have the most grave duty and the primary right to take care as best they can for the physical, social, cultural, moral and religious education of their offspring.”*

**Canon 774, §2** states that parents above others are obliged to form their children by word and example in faith and in the practice of Christian life.

**Canon 776** tells us that it is the pastor who must provide for the catechetical formation but that he is to promote and foster the role of the parents in the catechetical formation of their children.

**Canons 973; 796, §2; 797-799** in the Book III on Catholic education and schools emphasize the freedom parents enjoy in choosing those means and institutions through which they can provide more suitably for the Catholic education of their children.

**Canons 759, 795, 211, 793 and 1136** explain how bishops, pastors and parents together share the responsibility for catechesis.

### C. Sacramental Preparation

The catechetical documents issued by the Holy See, along with the 1983 Code of Canon Law, all emphasize the parents’ role in the sacramental preparation of their

children and in the initial assessment of their child's readiness. Proper preparation of the child is essential to ensure the child's preparation of the sacraments. A series of canons from our canonical legislation speak of this reality:

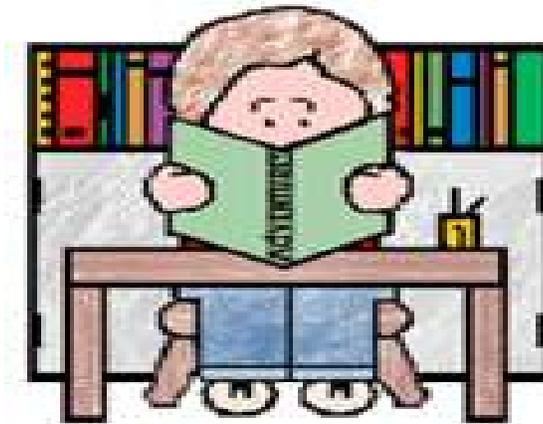
**Canon 835, §4** asks that parents have a special share in the office of sanctification by seeing to the Christian education of their children;

**Canon 843, §2** states that pastors and other members of the Christian faithful, according to their respective ecclesiastical function, have the duty to take care that those who seek the sacraments are prepared to receive them by proper evangelization and catechetical instruction;

**Canon 890 and 914** speak on the sanctifying mission of parents in the Christian education of their children;

**Canons 212, §2; 213; 529, §1; 226, §2; 793, §1** explain other rights that may pertain to parents who want to home-catechize their children and other duties of their local pastors.

In Part IV, the current issue of Home-Catechesis will be presented.





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***Part IV***

**Introduction**

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**III. Home-Catechesis**

In a 1976 report by the NCCB to the General Secretariat of the Synod of Bishops on the state of catechesis in the United States, the increasing involvement of parents in the catechesis of their children, including sacramental preparation was noted and applauded.

Parents may choose to home-catechize their children for a variety of reasons. The vast majority of these parents simply want to do what they feel is best for their children while exercising their natural rights as the primary educators of their children. Many others may choose to home-catechize merely as a matter of convenience due to schedule conflicts, while for some it may be due to a handicapped or chronologically ill child who may prefer to receive his/her education at home. In some cases, home-catechize may be the optimal choice of education, especially for some non-mainstream children, for example, those who suffer from ADHD – attention deficit hyperactive disorder – learning

disabilities and other developmental disorders. Any of these types of parents fully collaborate and cooperate with their pastor or parish DRE as they teach the faith to their children at home.

There is another class of parents who have decided to home-catechize their children because they question the orthodoxy of some catechetical programs in their local parishes or they are aware of certain deficiencies, errors or omissions. These parents want to ensure that their children are taught exactly what they themselves were taught as children. For these reasons, they decide that their child's religious education is better left in their own hands and they become their child's catechist.

Problems in home-catechize are developing around the United States for a variety of reasons and may result in a power struggle between parish or diocesan DRE's and parents' refusal to accept any supervision from church officials or simply to comply with diocesan policies regarding home-catechize.

Two canonical principles serve as limiting criteria and guidance for parents who choose home-catechize:

- (1) Communion and collaboration with the Church;
- (2) Obedience to the law of the Church.

The following Canons attest, either explicitly or implicitly, that parents who home-catechize remain under the jurisdiction of Church authorities. Parents who elect to home-catechize are still bound to the governance of the Church and cannot remove themselves from the Church community to act as autonomous practitioners in the pursuit of their child's education; those canons are **759; 774, §1; 776 and 793, §1**. As Canon **212, §1** establishes, they are "*bound to follow with Christian obedience those things which the sacred pastors, inasmuch as they represent Christ, declare as teachers of the faith or establish as rules of the Church.*"

The criteria to follow by those parents who choose to home-catechize are enunciated as follows:

### **Communion with the Church**

The canons on Catholic education, with particular emphasis on **Canon 793**, state, while parents are bound by the obligation and possess the right of educating their offspring, this is not an undertaking that they are meant to tackle alone. **Canons 759 and 796, §2**, among others, demonstrate that parents must cooperate with their bishops and presbyters in imparting catechesis to their children. **Canon 774, §1** again reminds parents that catechesis belongs to all members of the Church. The family is the primary – but not the only exclusive – educating community. Catechesis is the responsibility of the entire community. With increasing numbers of parents opting for home catechesis, there is a real need for collaboration, cooperation and a coordination of efforts between pastors and parents.

## **Obedience**

Part of the responsibility of membership and communion with the Church is obedience to ecclesiastical authority as stated in **Canons 209, §2; 212, §1**. Mindful that all catechesis is an action of the Church, the faithful must therefore be obedient in transmitting the faith of the Church rather than their own personal doctrine. Catholic parents have an obligation to teach the faith of the Church as it is taught by the *magisterium*, as well as to follow the particular norms published by the competent authority. In this particular reference, **Canon 823, §1** states that:

*“In order to preserve the integrity of the truths of faith and morals to be preserved, the pastors of the Church have the duty and the right to be watchful so that no harm is done to the faith or morals of the Christian faithful.”*

**Canon 212, §1** also affirms that the faithful are bound by what is legitimately proposed to them and are to avoid any contradictory teaching:

*“Conscious of their own responsibility, the Christian faithful are bound to follow with Christian obedience those things which the sacred pastors, inasmuch as they represent Christ, declare as teachers of the faith or establish as rulers of the Church.”*

For this reason parents who home-catechize should utilize catechetical resources and texts approved by a competent authority; they are free, however, to ask their pastor to approve their own catechetical texts and they have the right to receive this approval if the contents are aligned with Church teaching. It is understood that parents who choose home-catechize must possess a fundamental competence and home-catechize children should be required to follow and meet the same qualifications as children in parish schools of religion. According to **Canon 780**, local ordinaries are to see to it that catechists are duly prepared to fulfill their function properly; that they understand the doctrine of the Church appropriately and this also applies for parents who elect to home-catechize.

The rights and duties of both pastors and parents who wish to undertake home-catechize must be respected. It must always be remembered, too, that the Church is a community with numerous varied ministries and diverse means of attaining the goal of educating children.

## **Home-catechize network**

In response to the increasing interest and participation in both home-schooling and home-catechesis by parents, a number of home-study schools and support groups have developed in the United States. Among them we can mention **TORCH** – Traditions of Roman Catholic Homes, **SHSS** - Seton Home Study School, **NACHE** - National

Association of Catholic Home Educators and **CHSNA** -Catholic Home School Network of America.

The final segment of this series, Part V, will outline some conclusions and a few practical suggestions for resolution of possible conflicts in the parish or diocesan level.



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***Part V***

**Introduction**

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**Conclusion**

In summary, the research and development of the topic of education and catechesis of children has reminded us that the law of the Church is intended to serve and protect gospel values. At the promulgation of the 1983 Code of Canon Law, Pope John Paul II wrote in the Apostolic Constitution *Sacrae Disciplina Leges* on January 29, 1983:

*“The Code is in no way intended as a substitute for faith, grace and charisms... in the life of the Church. On the contrary, the purpose of the Code is to create such an order in the Church which... renders their entire development easier, both for the ecclesial society and for the individual persons who belong to it.”*

The right and responsibility of parents to educate their children must be respected and encouraged; and they must be cared for and made to feel part of the parish. At the same time, the parents' responsibility to maintain communion with the parish, the preeminent place for catechesis, must be strongly encouraged. The family and the parish are inseparably linked in their entitlement and duty to catechize and each is interdependent on the other. The common good, clearly, is the salvation of souls. We accomplish this, not in isolation from one another, but together in communion. Having the above statement in mind, several ways of action are recommended:

### **Communication and sharing**

Parish DRE's should be trained to be welcoming of parents who choose to Home-catechize, rather than meet them with suspicion and hostility. They should regularly contact these parents and offer resources, teaching techniques and other assistance. This effort will go a long way in furthering the good will between the parish and parents. Lack of communication breeds mistrust and misperceptions on both sides. There should be as a goal a harmonious cooperation between pastor and parents as they enter into dialogue regarding their respective and mutual responsibilities. Any approach that interrelates them will yield great good for each.

### **Continuing education for parents**

Another perspective comes with the idea that better efforts should also be made in the area of adult religious education in order to help parents understand current church teachings. Parishes with Catholic schools attached should explore new ways of serving parents who have chosen to Home-catechize and include their children in both parish and school activities when possible. Improving the quality and effectiveness of volunteers in parish religious education programs with more funding and better training will also reduce the number of unhappy parents.

### **Open dialogue**

Through dialogue, both pastors and parents will learn about roles, methods and principles. Bishops and pastors should make it a priority to initiate dialogue with parents who Home-catechize in order to mutually grow in that experience.

### **Hierarchical Recourses**

To resolve a conflict, perhaps local due process should be attempted. There is a need to develop procedures, diocesan and parish policies for resolving individual cases.

### **Fraternal efforts**

A spirit of cooperation and collaboration between parents and the Church community as well as obedience to the laws of the Church are essential in the effective spiritual development and catechesis of the home-schooled child. Catechesis of the child must be

held as the foremost goal by all parties in order to put aside differences and foster the sense of Church community that will demonstrate to the children the Christian values that we all strive to attain.

I, finally, want to express my gratitude to all parents who have dedicated their time and efforts to provide the proper religious education of their children by sending them to parochial catechetical programs or by catechizing them at home; and along with them, our appreciation goes to our diocesan bishop, pastors, associate pastors, deacons, religious, directors of religious educations and catechists of our dioceses for their continuous support and efforts in the proclamation of the Good News, especially to our children and youth.