**The UNCRC**

1. Within the Curriculum reform in Wales, the UNCRC plays a foundational role. Incorporated into Domestic Law in Wales in 2011, the Declaration sets out 42 rights, centred on four ‘General Principles’ (Articles 2,3,6 and 12) and described in the 54 articles that make up its text (together with some ‘Optional Protocols’ governing additional, particular applications). It is at once “the most complete statement of children’s rights ever produced and is the most widely-ratified international human rights treaty in history” (UNICEF).
2. The foundational importance of the UNCRC for the New Curriculum also makes it vital to relate it to the work of this Curriculum Guidance for Catholic schools.
3. In the thinking of the Church, ‘law’ is understood as ‘a rule of conduct enacted by competent authority for the sake of the common good’ (CCC 1951) that has the character of being ‘moral’ by virtue of its origin (Divine Wisdom, ultimately) and its goal of contributing to the attainment of the ‘promised beatitude’ (i.e. ultimate happiness and joy) for which the human person is meant (CCC 1950).
4. There are four different expressions of the moral law, all of which are interrelated:
   1. Eternal law: the source, in God Himself, of all goodness (CCC 1950-53);
   2. Natural law: the law of the good ‘embedded’ in all created reality and rationally discernible by human beings through use of their Intellect (CCC 1954-60);
   3. Revealed law: the moral good revealed to us first in Israel (most notably in The Ten Commandments) and then in its fullness in Jesus Christ (especially in the Sermon on the Mount and the moral catechesis of apostolic teaching in the New Testament) (CCC 1961-64 and 1965-74);
   4. Civil law: the laws of human societies, promulgated by those “invested with legitimate authority” in pursuit of their role “to work and care for the good of all” (CCC1897) in the service of the “common good” (CCC 1902) (CCC 1897-1912)
5. Of these four, the fourth category of law is the most ‘mutable’, that is: changes most frequently and varies most between different societies and times, given the changes due to the diversity of political regimes.
6. Because this is so, the Church provides principles and criteria for evaluating civil law:
   1. Principle: “A human law has the character of law to the extent that it accords with right reason, and thus derives from the eternal law. Insofar as it falls short of right reason it is said to be an unjust law, and thus has not so much the nature of law as of a kind of violence” (St Thomas Aquinas, quoted in CCC 1902)
   2. Criteria: the summary of the criteria for assessing this is the ‘common good’ which all human authority exists to serve and which is always oriented to the “progress of persons” (CCC 1903 & 1912). Its three essential elements are:
      1. “respect for the person as such” and their inalienable dignity and natural freedoms (CCC 1907);
      2. “social wellbeing and development of the group” (CCC1908);
      3. “peace”, that is “the stability and security of a just order” (CCC 1909)
7. It is obvious, therefore, that the UNCRC is a form of ‘civil law’ that has been enacted by the relevant ‘legitimate authority’ in Wales as a ‘domestic law’ on the basis of its international reputation and status.
8. This in turn means its promulgation triggers certain “duties as citizens” (CCC 2238-2243). They are in particular:
   1. loyal cooperation with those in authority (CCC 2238);
   2. contributing to the good of society “in a spirit of truth, justice, solidarity and freedom” (CCC 2239);
   3. and a ‘qualified’ obedience that implies prudent scrutiny (CCC 2238) and following the directives of civil authorities insofar as they are not “contrary to the demands of moral order, to the fundamental rights of persons or the teachings of the Gospel” (CCC 2242).
9. Overall, this results in our positive engagement with the UNCRC and its foundational role for the New Curriculum, without, however, it thereby becoming foundational for a Catholic Curriculum in quite the same way: the foundation of our work and educational mission is the eternal law and goodness of God as fully revealed to us in Christ Jesus. Insofar as the truths of this find expression in the UNCRC, this particular ‘civil law’, as all others of its kind, command our respect and loyal cooperation.
10. At the same time, even international civil law can never replace the Gospel, nor does it invalidate our responsibility precisely as loyal citizens to exercise “the right, and at times the duty, to voice […] just criticisms of that which seems harmful to the dignity of persons and to the good of the community” (CCC 2238).
11. While not of necessity directly related to the UNCRC, an example of this is evident in the just criticism of claims that it is, for example, the ‘rights of children’ that require the curtailment of parental rights (most notably the ending of the rights of parental withdrawal from RE and RSE under the New Curriculum): such use of ‘civil law’ by civil authorities undermines the mutual duties and rights of family members (CCC 2214-2231) which are themselves part of the Natural and Revealed law that precede all human law.
12. In any case, however, the ever-present possibility of such a conflict between civil law of any kind (including the UNCRC) and the more foundational laws listed above (in 4. a-c.) mean that a Catholic Curriculum can offer the UNCRC only a “qualified allegiance” which remains conditional on it embodying and furthering the true moral good of human persons created in the image and likeness of God. In this, the UNCRC is in the same position as ***all*** Civil law (4.d.).