

## COMPULSORY EDUCATION.

### What Rights Has the Civil Government in Regard to the Education of Children.

The modern State claims the right to regulate and to superintend the education of children; it collects taxes for schools, it disburses this money, it builds schools; it examines the teachers and in many countries compels parents to send their children to school. We have become so accustomed to this state of affairs that it almost seems absurd to ask the question: has the State a right to take the education of its citizens into its own hands? It sometimes happens that a family, through several generations, occupies a tract of land to which it has no legal title; when the original deeds are examined, it is often found that the land does not belong to that family at all, although through the long term of years it held it, its proprietorship never was questioned. In like manner it may be found, if we examine the title under which the State claims education as its domain, that it has no legal title to it, but simply holds it by usurpation.

Before there was a State there were individuals, families, communities. For the purpose of mutual protection it became necessary for communities to form an association which we call State. For the sake of order and of advancing the general welfare, the individuals and families had to yield to a limitation of their rights. What rights has the individual according to the law of nature? It has two kinds of rights: inherent and acquired.

#### INHERENT RIGHTS ARE:

The right to existence, life and health, the right to intellectual and moral development, the right to good reputation. These rights are inherent in the person, inalienable, not transferable to the State. An acquired right is the right to the fruits of one's own work and to property in general. This right is in its very nature transferable. Therefore, the State may be called upon to regulate matters pertaining to property in as far as the public welfare demands it. But from this lawful interference on the part of the State in relation to property only very superficial reasoning could draw the inference that the State had also a right to limit inherent rights, especially the right of individuals to a personal existence and the multiplied existence in their offspring. Since these individuals are not owned by the State, since father and mother own themselves, it follows that the State cannot own their children (as the Spartans claimed with whom the Pantheists of our day agree.) The children belong to the parents, hence, their education belongs to them; they cannot, however, be deprived even by their parents of their inherent rights. Hence, the State, formed for the protection of God-given rights, although it cannot claim the children as its own, has a right to protect their natural rights, should these be endangered by parents. Therefore, if parents were to starve their children or imperil their health and growth by sending them too young to work in factories the State would be obliged to intervene. In the same manner the State would have a right to interfere, if parents would deprive their children of that intellectual and moral development to which they have a natural right. The State would have a right to supply the want, if it could do so. On the rights, then, which children have in regard to their education depends the right of the State to enact a law of

#### COMPULSORY EDUCATION.

It is self-evident that children have no right to everything which might be useful to them, but only to what is necessary for them. Therefore, parents are obliged only to secure them the necessary development of the intellect; the children must be taught to reason. Reasoning is acquired by intercourse with intelligent people: nothing else but this intercourse is required for the child to learn the law of cause and effect, what things are, what produces them, what

they are for. This intercourse can be artificially increased by reading, which brings us into contact with minds remote from us in time and space, widens the field of our knowledge and sharpens our reason. Before the art of printing was invented, before books were in general use, being obtainable but by few, people were just as intelligent as they are now. Among the great generals, artists, mechanics of old, the great majority could neither read nor write. Prudence, sagacity, even wisdom, not to speak of technical skill, are found—not exceptionally—amongst nations with whom our book-learning is an absolutely unknown article. If, then, the development of the intellect does not depend on those accomplishments which are generally called education, the child has no natural right to them, be they ever so useful.

It may be objected that, while this education is not absolutely necessary, it is relatively so, considering the circumstances under which we have to fight the battle of life. Being entitled to life and health, the child has a right to learn how to make a living; brought up without any education, it is condemned to a life of want and poverty. Therefore, the State has a right to secure to the child a school education.

#### WE ANSWER:

Mechanical skill and good handiwork, by which the majority of people earn their living, and a good living, have nothing whatever to do with book-learning. The father who gives his son a trade secures for him a better living than many parents who send their children to a high school. While it may be deplored that school education is often neglected, it is still more deplorable that so many children grow up to be loafers and paupers, because, on account of their superior education, they consider themselves above hard labor and are unable to find the desired gentlemanly light employment. And a girl, deficient in school education, who learns how to cook a good meal, is trained in needlework and housekeeping, makes a better wife than the highly accomplished young lady who has read all the classics, can draw and paint and play the piano, but, when it comes to preparing salad, thinks she must wash it with perfumed soap.

In vindication of compulsory education, some claim that it is necessary for a man as citizen, because without it he cannot enlighten himself by reading newspapers about the affairs of the State, and thus form an opinion about the platforms and candidates of the different parties. What else is talked at the time of an election but politics—politics till we grow sick of it. There is plenty of information to be obtained by hearing, and probably one who is not prejudiced and biased by his favorite paper votes more intelligently and independently after comparing in his own mind the pros and cons just on account of not being guided by one paper.

THE NECESSITY OF STATE INTERFERENCE is held by some on the ground that without a general school education the State cannot flourish and would present a contemptible appearance. But the masses are sufficiently enlightened to understand the advantages of school training so as to be anxious to give it to their children. In the American Union, some States have a law of compulsory education; others have not. Do the latter, now, favorably compare with the former? The class of people who have not ambition enough to educate their children is numerically, and, in proportion, so small, and stands so far in the background, that the general appearance of the country does not suffer from their presence. Sometimes the degree of civilization is measured by the quantity of soap a country uses, since cleanliness is next to godliness. Could the fact that some families live in dirt justify the State in enacting a law obliging every family to use a certain amount in order to save the reputation of the country?

What we have said suffices to prove that there exists neither an absolute nor a relative necessity of school education as far as intellectual development is concerned. We must see whether such a necessity exists in regard to that moral development which is absolutely necessary for each individual and of paramount importance for the safety and welfare of the State. An immoral life is a cursed existence, and the spread of immorality is a danger and disgrace for every community and the State at large.

Since, now, the State must protect the natural rights of each citizen, and itself, by the right of self-preservation, has it, then, not the right, and is it not even obliged, to supply the moral training of the child, when the parents neglect to give it such? We are inclined to answer affirmatively; unfortunately we cannot do so logically, for the simple reason that

#### THERE EXISTS NO RELATIONSHIP

between civil government as such and the fundamental principles of morality. The child learns what is good and what is evil, what it must do and what it must avoid, before the dawn of reason, by the example and words of the parents. Obedience, the feeling of shame, truthfulness, peaceableness, unselfishness, honesty, kindness, are acquired by the child before it attains the use of reason. If the parents set a bad example and neglect to direct the child properly, its heart becomes like a neglected garden, full of weeds. Can the State, by school-education, pull out these weeds and sow and make grow the seeds of righteousness? There is no doubt that a good teacher can improve the manners of the neglected child. But manners are not morality. With polite manners and intellectual culture moral depravity can go hand in hand. A moral man is one who subdues his animal inclinations and brings them under the control of his higher, spiritual nature; one who practices charity toward his neighbor and respects his rights as he wishes his own respected; one who reveres his parents and is never wanting in tokens of filial affection; one who loves God and submits to and does His will. A merely outward compliance with moral laws, such as the State might enforce, does not make a moral character. The hands of a clock may be so turned as to indicate the correct time, but that does not make the clock a good time-keeper. The regulating must be done in the inner works. The will of man must be braced by powerful motives to do good and avoid evil regardless of worldly loss or gain, of blame or fame. Only religion can supply these motives in teaching us that

#### CHRIST IS A DIVINE TEACHER,

whose laws bind in conscience; that this life is but the beginning of our existence and shapes our eternal destiny; that there is reward and punishment for our free acts, etc. How can the modern State, divorced from religion, teach religion in its schools? By a happy inconsistency people who have no religion may, in practice, observe the laws of Christian morality; but without religion the principles of morality cannot be taught. A mere civil government can be a moral trainer only by its penal code, by threatening fines, incarceration or death.

But by a school-education the State offers the means for self-instruction in religion! One, anxious to be instructed in religion, can go to church and hear the word of God, and every clergyman will be glad to give even private instructions. Young people brought up without religion do not make use of the knowledge acquired in schools for the study of religion. They read novels, newspapers and periodicals, books which ridicule religion, but not religious works. The smattering of sciences they have received emboldens them to look down upon religion, on faith in revelation and miracles, as a thing good for illiterate people and fools, but not for the enlightened class of society. Our civilization is brilliant on the surface but rotten within.

Even if the State cannot give a moral training, it might seem that a law of compulsory education would help the cause of morality by keeping children from the streets, where they learn nothing but vulgarity. The demoralizing effect of playing on the streets depends entirely on the company the child is in. If parents are careful in choosing good playmates for their children, there may be even less danger of their learning immorality on the streets than there would be

#### AT SCHOOL,

where carefully brought up children are thrown together with children who have bad manners or are even immoral, children with whom the parents would not allow theirs to associate were it in their power. The change for the worse in the moral life of a child frequently dates from the day it was sent to school. For this very reason some parents prefer to instruct their children at home in the

rudiments, and although this teaching may be far inferior to school education, it has the advantage of keeping the little ones out of the foul air so often infesting schoolrooms and of not overstraining their mental capacities so frequent in our schools, where there is no end to the variety of studies to the great detriment of the children's physical development.

That the State separated from religion cannot be an educator in morality, we have proved. But it will be objected that the whole argumentation has no force, if the major premise, that no religion can be taught in State schools, is not true, and it may be asserted that it is not true where the State supports both Catholic and Protestant schools. Are our Protestant schools really religious schools? There are many different Protestant denominations; therefore, only such religious principles can be taught in their common schools in which they all agree, and all such principles on which they disagree must be left out of the religious programme. Now, they do not agree on the divinity of Christ, nor on the doctrine of hell, nor on the liberty of the human will. (Luther *eg* says man is like a horse; if God rides him he must take the good road, and when the devil rides him, he cannot help taking the bad one.)

If Christ is not God, His law is not divine, not binding; if there is no punishment for the transgressor of the law, the law has no sanction; if man is not free he is not responsible for his action, and all backbone is taken out of morality. The reading of the Bible and the singing of hymns cannot be considered sufficient to supply a child with the neglected necessary moral training. Hence, as far as Protestant schools are concerned, the State cannot claim that in them it provides the fundamental religious principles on which morality is based. Hence, in regard to Protestants, it cannot claim the right of compelling children to come to its schools on the plea of imbuing them with moral principles. Since our laws must be general for all classes, it follows that the State cannot enact a law of compulsory education for Catholics either.

Where the State superintends both Catholic and Protestant schools, it may be placed in the ridiculous position of being obliged to choose the mode of religious training for children, while itself is not affiliated to any particular religion, namely, in cases where parents who have no religion, and are so rude as not to favor any particular school, neglect to give their children a religious moral training. If the State must supply what the parents neglect, to which school must it send the children?

To sum up, the State, separated from the Church, cannot claim the education of children as its own province. To the parents to whom the children belong, belongs, also, their education. They may educate them at home,

#### IF THEY CHOOSE TO DO SO,

or several families may combine to provide a school for them. If there are parents who cannot pay their share of the expenses of the school, the community (not the State) has a right to assist them financially, as it also assists poor people who are unable to take care of a sick member of their family by providing hospitals. (Hospitals and schools we do not intend to place on a par, because the community is fully able to take charge of a patient, while it cannot, as we have seen, be an educator.) In one word, the State, has no divine right to enact a law compelling parents (or guardians) to send their children to school.

Would a law of compulsory education, if the State had a right to make one, be beneficial?

People who are anxious to give their children a school-education need not be compelled to do so. If parents are qualified and have the time to instruct their children at home, it would be useless cruelty to take their little ones away from their home and place them under the care of a stranger who is not better qualified.

In the case of parents who are not anxious to give their children a school education, the law would have little effect, since it is very easy to find a thousand excuses for not complying with it—the school is too far away; the streets, the roads, are too bad; walking through the snow the children will get their feet wet; they have no shoes, no good clothes, they are too delicate, cannot stand the cold, nor the bad air in the school, etc., etc. Children of such par-