

THE RIGHTS AND DUTIES OF FAMILY AND STATE  
IN REGARD TO EDUCATION.

*Lehrbuch der Pädagogik.* By Dr. Albert Stöckl. 2d edition. Mainz. 1880.

*Geschichte der Pädagogik.* By Dr. Alfred Stöckl. Mainz. 1876.

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*Die Schulfrage.* By Rev. L. von Hammerstein, S.J. Freiburg. 1877.

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*Canisiusverein Buschüren* (Nos. 1 and 2). By Dr. F. Justus Knecht. Freiburg. 1880.

*Die Aufgaben der Staatsgevalt und ihre Greuzen.* By Rev. V. Cathrein, S.J. Freiburg. 1882.

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*Various Articles from Catholic Review and Journal of Education.*

“THE child belongs to the State before belonging to his parents.” This winged word of a sanguinary revolutionist is, either implicitly or expressly, the basis of modern public education in most European States. By the Reformation the bond of religious unity has been severed. Christian traditions have been abandoned, and religious principles framed to the caprice of men. Matrimony, established by God as a holy institution, and elevated by Christ to the dignity of a sacrament of His Church, was degraded to a mere natural contract, or, in the quaint phrase of Martin Luther, to a “worldly thing.” The State, with uplifted hand, ratifies and blesses the marriage-union of the youthful couple, and receives again into his loving arms the hopeful citizen that may chance to be born of that blissful alliance, and if he consign the babe to the solicitous and tender care of its natural mother, to be nursed for a few years, it is only to reclaim it again to be educated and trained in the evils of peace and war for the aggrandizement and protection of that country in which it has had the privilege first to see the light. If the child happens to be of the weaker sex, it will, none the less, be received under the State’s tuition, that, in its turn, it may one day become a Spartan mother, who will embrace her son and say: “Go, my boy, fight for your country; conquer or die.” Sparta was no more delicate in her

parental attentions to her subjects than are our modern European States.

Also, from this side of the Atlantic, we look across with no small amount of admiration upon this Spartan policy. Educationalists have been, for many years, hard at work in this country compiling and popularizing European systems of education. In imitation of revolutionary Europe, we have established a system of secular or godless education. We are educating millions of American citizens without religion and without God. Compulsory education has, also, to some extent, been introduced into several States of the Union. Americans, too, have made the acquaintance of the novel dignitary called truant-officer. In short, American, like European States, are gradually turning schoolmasters. How far this is in keeping with the genius of the American constitution, with American character and American freedom, we will leave to politicians to decide. In this struggle, however, between individual, domestic, and religious liberty on the one hand, and State monopoly of education on the other, it is well to fix some principles as landmarks by which we may be guided in our views on this all-important subject of education.

Taking for granted that man, coming into this world as a rational being, helpless, and dependant on others for his physical, mental, and moral development as a social being, with social qualities and social wants, as a religious being, having certain fixed religious duties towards his Creator in common with his fellow-men, is, by the very fact of his existence, a member of three distinct societies, each complete in its own sphere—the domestic society or family, the civil society or State, the religious society or Church—the question arises, which of these three societies has the duty and right of procuring his education, or, if this task is common to all the three, what portion of it falls to the lot of each? The object of this article is to give a clue to the solution of this question. For the present, however, we will confine ourselves to the rights and obligations of the family and State. We shall begin with the rights and duties of the *family*.

The family, or domestic society, has been instituted by God himself at the creation of our first parents. He not only laid down as a general law in the nature of man, but also sanctioned by a positive command (touching the species in general, not the individual) that man and woman should leave father and mother and cling to each other for the propagation and education of the human race, for the multiplication of His children, for the extension of His kingdom on earth and in heaven. So firm are the bonds of this union between man and wife that, being once legitimately contracted, they cannot, without divine intervention, be severed

except by death. So sacred is this alliance, that the Apostle calls it a great mystery, and does not hesitate to compare it with that holy union which exists between Christ and His Church. If this union is so inviolable and holy in the eyes of God, its object must be of the highest dignity and moment. It must be something of a more exalted character than the procreation and rearing of citizens for the State. It is nothing less than the accomplishment of the eternal design of God to communicate His goodness and felicity to His creatures. It is the grand object for which He has created the universe, and made it subordinate to the dominion and subservient to the use of man, the same divine end for which His only-begotten Son has assumed our nature and expired on the Cross—the eternal happiness of man in the enjoyment of his Creator. The marriage-union, so holy in its institution, and sublime in its object, must have certain sacred and inalienable rights and binding and indispensable duties consequent upon it. Foremost among those rights and duties is the education of that offspring with which God may chance to bless that holy alliance, according to the intent of the Creator, to His service and glory.

Now, what is meant by education? This question can be best solved by the consideration of the concrete circumstances in which man first appears upon the stage of this world. While inferior animals, by the providence of the Creator, enter existence endowed, to a great extent, with the means of self-preservation and self-defence, we see man come into this world as a helpless creature, destitute of all means of self-subsistence and self-development. If abandoned to himself, he would soon pine away and die. For years he is dependent on others for his support and for his bodily and mental development. Yet God has deposited in the child the most wondrous faculties. He has impressed upon him the image of His own greatness, power, wisdom, and goodness. But this image must be brought out and perfected by the coöperation of his fellow-man. His physical, intellectual, moral, and religious faculties still slumber. They must be aroused, moderated, trained, by external agents. Should the child be excluded from human intercourse, though his bodily organism might be developed, yet he would grow up in deplorable idiocy. But, besides those natural faculties which God has deposited in the child, He has also implanted in the soul of the Christian the germ of supernatural life, a new creature of His omnipotent hand, when, in the sacrament of baptism He regenerated him of water and the Holy Ghost. This supernatural principle of life will live on in the soul of the child until it is blighted by sin. But it, too, is a fruitful principle, endowed with as many supernatural forces as there are infused virtues, theological and moral. This supernatural germ, also,

which we call sanctifying grace, and which far transcends in perfection the natural principle of life with all its admirable faculties, must be aroused, actuated, and developed by the early and continued practice of Christian virtue, else it will not take deep root in the soul, and like a languid spring-flower it will be killed by the first onset of the nightly frost of temptation. Now this is what is meant by education: The harmonious development of both body and soul of the child, by exterior training, according to the idea of the Creator; the developing and perfecting of all his faculties, whether corporal or spiritual, natural or supernatural; the bringing out of the image and likeness of his Creator, which is impressed upon him; his habilitation for the fulfilment of his duties towards himself, his fellow-men, and his Creator,—above all, the practical initiation and direction on the way that leads to eternal happiness. Anything that does not take in all those functions is defective and cannot be called education.

Thus man, that wonderful little world of natural and supernatural treasures, is cast into this world by the Creator altogether at the mercy of his fellow-beings. Yet, weak and helpless as is the child, he has received from the Creator an inviolable right which is stronger than all the military forces of nations. With his whining, inarticulate cry, he can claim the assistance of his fellow-man, and woe to him who despises or tampers with his right. Every child, then, who is born into this world has an inviolable right to the necessary education, else the Creator should be wanting in His providence to him whom He has made king of creation. This being the case, there must exist a corresponding obligation of imparting to him this education, for every right implies a corresponding duty, otherwise it were no right. With whom, then, does this obligation rest? Certainly, in the first place, with the child's parents.

By the very fact of procreation there arises the strict obligation on the part of both parents to preserve the life and procure the spiritual and temporal welfare of their progeny. For this end the Creator has infused into the hearts of parents an inborn and indelible affection for their children. For this end He has inviolably sanctioned the unity and indissolubility of matrimony. For this end sacramental grace is dispensed to Christians who join in lawful wedlock. But in this sacramental contract they also undertake the sacred and strictly binding duty of procuring their offspring a physical, moral and religious (Christian) education. From this obligation they cannot be dispensed. How far this duty extends cannot so easily be defined, as it depends a good deal on particular circumstances, and especially on the parents' position in life. Neither does it lie within our present purpose to investigate the extent of this obligation in detail. So much, however, is certain

that parents are strictly bound to provide for their children such a physical development that they may be at least able to procure their living honestly by the work of their own hands, and such a mental development as to insure their possible success in the ordinary pursuits of life. For this physical and mental training of their children, however, neither the study of pedagogies, as Herbert Spencer would recommend for intended parents, nor a course of hygiene such as is sometimes pleaded for with much pathos in American journals of education, is required for parents. That parental love and solicitude implanted in their hearts by their Creator, aided by common-sense, is a sufficient guide, as long as it is not stifled or obscured by vicious habits. Still greater care, however, than on their physical and mental development must be bestowed by parents on the moral and religious education of their children. They are obliged to watch over their innocence, to guard them against all demoralizing influences and associations, to imbue them practically with an early sense of modesty, truthfulness, filial piety, obedience, etc. But above all they must, at an early age, endeavor to imprint upon their yet tender hearts religious sentiments—love of prayer, reverence for whatever is holy, fondness of the Christian doctrine, and of all religious practices, love of God and detestation of sin, etc. It is scarcely necessary to add that they are bound to procure them a solid religious instruction.

Those duties are common to all parents. The duties of a higher education, literary or scientific, vary according to particular circumstances and conditions of life. Here the question might be put whether parents, in general, are bound in conscience to have their children taught to read, write, and reckon. Certainly, if we abstract from particular circumstances, no such obligation can be proved, as such knowledge is necessary, neither for the temporal nor spiritual well-being of man. Neither is it required for an ordinary mental, moral and religious development, as may be seen in the case of many illiterate persons who have more mental grasp and a good deal more delicate and defined moral and religious sense than many of their comparatively well-informed brethren. We know that some of the poets of the Middle Ages, whose works take the highest rank in literature, could neither read nor write. We need only recall the name of Wolfram von Eschenbach, the sweet Minne-singer, who is known as the author of the famous "Parceval," one of the finest literary productions which have reached us. However, if we take the circumstances into consideration, such are the inconveniences of illiteracy, in our days, in most places, and such the facility of acquiring those rudiments of knowledge, that the parents who, in normal social circumstances, brought up their children unlettered, could scarcely be considered blame-

less. Yet, reading, writing, etc., as may be readily seen, constitute the least important part of education. Such knowledge is only accessory to the true essentials. Whatever, then, may be said of those useful and ornamental acquirements, with which civilized society in our days can hardly dispense, it is certain that parents are strictly bound to procure the essential physical, moral and religious education of their children. The sense of this duty is so deeply impressed on the nature of man by the Creator that it cannot be wholly effaced even by the grossest barbarism.

To facilitate the fulfilment of the duties of education, parents have been gifted by the Creator with the most wonderful educational talents. He has infused into their hearts an unspeakable love and tenderness for their offspring, an unwearied patience with their children's weaknesses, an unremitting watchfulness over their every step and movement. Who has taught the mother to enter into the very soul of her child, to read his thoughts and desires, to take the liveliest interest in his childish pastimes? Yet no *Kindergärtnerin* of Fröbel's school has ever learned to penetrate into the secrets of the mystery of childhood as does the untutored mother, guided only by the voice of nature. Who is better adapted to make early and lasting impressions on the susceptible heart of the child than his own mother? How often do we find that an early lesson of a mother, recalled to the mind of a wayward son, effects that which no other motive, however strong, can accomplish? 'Tis true, those natural gifts are not dispensed in like measure to all parents, and can be wholly or partially eliminated by vicious habits; but this does not weaken the force of the general fact, which evidently proves the intention of the Creator that parents should be the educators of their own children.

To this intent, also, God has infused into the hearts of children a love and reverence for, a confidence and docility towards their parents which they can rarely acquire towards others, and this dictate of filial piety has been sanctioned by the positive law of God: "Honor thy father and thy mother." It requires no small degree of depravity to stifle this voice of nature in the heart of the child. As the parent, then, is by divine institution the natural teacher of the child, so the child is the divinely-appointed pupil of his parents. The family, therefore, is a divinely-constituted school, with an inviolable charter, framed and written by the finger of the Almighty in the hearts of parents and children. This school has existed before all universities, and will survive them all, because it is a divine institution which forms part and portion of human nature. Whoever, therefore, meddles with this divine creation, violates the most sacred rights of parents and children, and thwarts the intentions of the Creator. For, if parents have the strict duty of edu-

cating their children according to their own convictions, they have also the inviolable right to do so; and, if children are bound by the law of nature to submit themselves to that education which their parents are, in conscience, obliged to give them, they have also the right not to be impeded in the fulfilment of this duty. They may be arrested by truant officers, and dragged into State-schools against their own will and that of their parents; they may be submitted to educational tyranny worse than Spartan, but the voice of injured human nature cries up to the Creator for vengeance against that State which thus disregards the unprotected rights of its subjects.

Though the duty and right of parents to educate their offspring is inalienable, and though this obligation is personal, yet it does not follow that they may not make use of the assistance of others in discharging this office. As parents can employ a trusty servant to nurse their children, so they can employ a reliable teacher to instruct them in reading, writing, good manners, Christian doctrine, and the various arts and sciences, to superintend their physical, mental, and religious development. And as parents frequently have not the necessary time and knowledge to give their children a complete education, there is nothing more natural than that they should call in the aid of others, to whom they should consign a share of their parental office, with a corresponding portion of their parental rights. But, as it would involve too great inconvenience and expenditure for every family to employ one or more pedagogues, and one teacher can instruct and train several with the same or with greater facility than he would a single child, the suggestion is obvious that several families should unite and employ one or several trustworthy teachers in common to assist them in the education of their children. This circumstance first gave rise to *schools*, which are nothing else, in reality, than supplementary institutions to assist parents in the work of education. Whatever, then, may be the lofty idea which the worthy pedagogue may have of his exalted calling, he has only a subsidiary office, and so much authority and jurisdiction, in the natural order, as parents choose to confer on him. But, like every other employé, he, too, can contract with his employer. He can propose certain conditions on which alone his services are obtainable. Hence, it is quite natural that schools should, in course of time, acquire a certain degree of autonomy, should have certain constitutions, certain laws and regulations, to which parents and children should be obliged to submit if they wished to avail themselves of their advantages. Yet, from the nature of things, schools should be ultimately at the mercy of parents, for, on them should finally depend whether

they sent their children to such institutions or had them otherwise instructed and educated.

Such was the *idea* of school which prevailed with all ancient nations, if we except *Sparta*. In this commonwealth the children were born, so to say, into the arms of the State. Immediately after its birth the child was laid upon a shield and addressed with the words of the Spartan mother: "Either with this or upon it." It was then submitted to a wine bath to test its physical soundness. After this it was examined by the elders, and if found free from bodily defects it was allowed to live and to be reared for the service of its country. If any symptoms of physical inability were discovered, it was condemned to be flung into a crevice of the Taygetus as a useless specimen of humanity and a burthen to the State. Those children who were allowed to live were left to the care of their parents up to their seventh year, when they were removed from the family to begin the rough routine of State education, no more to taste the sweets of family life.

Very different was the system of education in *Athens*, the high school of classic antiquity. Here, too, the supreme end of education was good and enlightened citizenship, but the duty and rights of education rested with the parents. It was only on condition of the fulfilment of this duty on the part of parents that the children on their part were by law obliged to support them in their old age. Up to the seventh year the child was consigned to the care of a nurse, who was usually required to be well up in years. At the age of seven, the boy was intrusted to a pedagogue, whose ordinary office it was not to teach, but to watch over his charge and conduct him to and from school, while the girl was left to the care of her mother, to be brought up in close seclusion. The schools were exclusively the undertakings of private individuals, though the edifices used as schools were built at the expense of the State for this and other public purposes. The instruction given in those free schools, however, was subject to the inspection of the State.

In ancient *Rome* parents enjoyed a still more perfect freedom in the education of their children. Till after the fall of the republic there were no such things as public schools. The child was educated in the family circle. The father remained the natural educator and instructor of his own children. At an early period, however, we find schools of a private character in Rome, which were at first held in the streets and public places, and received the name of *ludi* (plays), as the teachers bore the title of *ludi magistri* (masters of play), to attract the playful children. These primitive institutions gradually assumed the form of real schools, with a graded course of instruction, but still maintained their private character. It is only under the emperors that we find the first at-



tempt at public schools, with teachers paid by the government. Such was the Athenæum erected by Hadrian in Rome, and the auditorium of Constantine in Constantinople—the latter, a university, with thirty-one professors paid by the State. But, besides those imperial institutions, private schools continued to work as formerly.

By the *coming of Christ*, the great Educator of the nations, new life was breathed into education. There was no more the narrowness of national prejudice, no more the distinction of Jew and Gentile, Greek and Barbarian. All men were destined to become one great family, the children of God and heirs of His Kingdom. Education has received a higher aim, which was not mere citizenship and national character, but the Sonship of God and the conformity with His only-begotten Son, Jesus Christ. And what were the principles of this divine pedagogy? The same principle which God had established in the beginning,—*family-education*. Wherefore, our Lord recalled matrimony to its primeval purity, unity, and indissolubility, and raised it to the dignity of a sacrament of the Church. He Himself is born, grows up, is educated (as far as this can be said of the Son of God) in the bosom of the family. It is only once we read of His sitting at the feet of the Jewish doctors. For the rest, He remained with His parents in the Holy Family of Nazareth, and “was subject to them” until the hour of His public teaching arrived. But Christ not only infused a new soul into education, and reestablished the rights of parents. He Himself came into the world as the teacher of the nations, who taught “as one having power.” And like all His other saving institutions, He made His teaching-office permanent in His Church. With the same divine power, which He had received from His Heavenly Father, He invested His apostles to teach all nations, assuring them and their successors of His infallible assistance unto the end of the world. He has conferred on His Church a divine charter to teach, which the world can violate, but not invalidate. Christianity has given a new aspect to education, restoring it to the primordial ideal of the Creator. The child should no longer be the pupil and property of the State. He is to be “taught of God,” and for God by divinely-appointed teachers—the parents who have received their divine mission in the Sacrament of Matrimony and by the Minister of God, sent by the Church, in the power of Christ. The history of the Church might almost be summarized in the exercise of this function of education. Nor did she ever cease to raise her voice in vindication of the inviolable right of parents to educate their own offspring, nor fail to remind them of this important duty.

But in modern times the old Spartan system has been in great

part resuscitated. The germ of the present system of State monopoly of education was sown by the Reformation. The teaching-office or the Church, instituted by Christ, was abolished, and private judgment enthroned in its place. Every man alike, according to the new Gospel, was priest and teacher. The Supreme teaching-office was transferred into the hands of the people, and right well they made use of their prerogative to dispense themselves from the duty of being taught by others. In his own days, Martin Luther could complain with reason that already "the village parson was the most despised of all men, that every peasant considered him as mud and dirt, to be trodden under foot, the which, he was sorry to say, was not seldom literally executed."

No better was the lot of the teacher, as is natural to expect, for Luther's abuse was levelled alike against priest, monk, and scholar. Hence we soon hear the general complaint that no parent would any more send his child to school. To this was added that the greater part of the school property was confiscated, and the salaries of teachers so curtailed that few were found willing to devote themselves to the work of education. The result of all this was a general decadence of education in the reformed countries. What, then, was to be done but have recourse to the State, into whose hands the properties of educational establishments had fallen, to erect and endow new schools, and thus resuscitate education from the tomb. This the State also did, but tardily, and, at first, only for the privileged class. But the foundation was thus laid for what is now called State education.

This modern system is a complete revival of the ancient Pagan form of national education, nay, it even surpasses in absolutism anything we find in the civilized nations of Pagan antiquity. It is Spartanism on a refined scale. This modern Spartanism has found its heralds among the lights of modern philosophy, especially in Germany. *Gottlieb Fichte*, in his "Addresses to the German nation," pleads for national education in the true Spartan sense. He will have great *public* institutions in which the students are to be educated *in common* in the *national spirit*. Those should be *exclusively State institutions*, besides which no others should be tolerated. The State should be the only educator of the nation. His worthy follower, *Hegel*, proceeding from his evolutionary pantheism, came to the same conclusions. In his phrase, "education is the art of regenerating man to a new spiritual nature. The growing youth," he says, "who is suckled on the breast of morality (the State), but lives yet as a stranger in her absolute contemplation, is brought more and more to her acquaintance, and thus passes over into the universal mind (Geist). The (youth's) mind must divest itself of its individuality, and thus make its transit into

the universal mind." This pantheistic metamorphosis, which he calls education, is nothing else than the total sacrifice of individual liberty and character to the all-absorbing omnipotent deity of the State, which he describes as the "realization of the moral idea, the self-conscious moral substance, the moral mind, the manifest, self-revealing will;" in other words, the last and highest evolution of the God-universe. Who can dispute the right of the State, thus deified, to educate the children it has begotten and nourished in blissful unconsciousness on its all-embracing bosom? And who can refuse to doff the swathings of individuality, and don this magic cloak of national universality? Let this sample of the theories, on which State education is brought to rest, suffice, and let us now proceed to examine the natural rights and duties of the State with regard to education.

Man is by nature a social being, says the Stagyrte. His social wants and inclinations extend beyond the limits of the family circle. Without a more extensive coöperation of his fellows, the individual is unable to procure for himself that peace and comfort which constitute our temporal happiness in this life. The individual and the family must be defended in their personal and domestic rights. Those material goods which make life enjoyable, and without which felicity cannot subsist, must be brought within the reach of all. This cannot be done without the coöperation of many,—at least of those who live within certain fixed boundaries. But as coöperation is impossible in our present (fallen) state without a ruling authority, possessing legislative and co-active jurisdiction, there arises the natural necessity of civil authority, or the power of efficaciously directing a given community to temporal prosperity. Civil society, therefore, or what we generally call the *State*, is a natural institution, the outgrowth of our rational human nature. There is no need of a social contract to explain its origin and existence. Wherever on the face of the globe a certain number of human beings exist in contiguity a civil society will soon spontaneously spring up, whether individuals will or not.

Therefore we find civil society and civil authority in a more or less developed state with all nations. But as the necessity, so also the object, and the limits of civil authority are defined by nature, its object is to procure for the individual and the family by common effort those necessary goods which they cannot procure for themselves by private and domestic means,—the protection against the assailants of their rights, and the promotion of such comforts and facilities as tend to the general temporal prosperity, without the violation of personal, domestic, or divine rights. The State, therefore, exercises two functions towards its subjects,—one pro-

tective of their natural or acquired rights, another promotive of their temporal well-being.

Now, does education fall within the scope of civil power? In other words, has civil authority been instituted by the Creator to teach the nations? Certainly education does not fall within the protective function of the State, for no right is thereby violated that parents educate their own children, or intrust them to private individuals or institutions to be educated, according to the dictates of their conscience. On the contrary, this, as we have seen, is the intention of the Creator, and the most perfect execution of the Divine order. The only case in which State interference can be warranted is that in which the necessary education of children is notably neglected, as in case of exposed children and orphans, for whom provision is not otherwise made by the Church, or by private charity. Every child has a right to the necessary education, and if his claims are not satisfied in the natural divinely sanctioned order, it is the business of the State to take measures that the child may come to his right. By so doing the State does not act as an educator more than it becomes the administrator of public property by punishing theft, or enforcing the restitution of stolen goods. It only defends the personal rights of its subjects within lawful bounds. But the State that takes education into its own hands, and monopolizes schools, violates in the most glaring manner personal, parental, and divine rights.

The child under ordinary circumstances has an inviolable right, though he may have no means of enforcing it, to be educated in the way intended by the Creator, not under the iron rod of the State official, but under the loving care of his parents, either in the bosom of the family or in that place where parents believe him to be best cared for,—not according to that manner of pedagogy which may seem to philosophers to make him an enlightened citizen and patriot, but in that way which will bring him nearer to his Creator, and guide him most effectually to his last end. Therefore the child who is violently wrested from the arms of his parents and thrust into a public school is injured in his most sacred personal rights; and this violence is the more crying in the sight of heaven because the child has no means of self-defence, nor even the consciousness of the wrongs inflicted upon him.

State education is, furthermore, a violation of domestic rights,—nay, it frustrates the object of domestic society, which is not merely the procreation, but mainly the education of the human race. Procreation without the divinely-intended education, is a curse rather than a blessing for the individual as well as for the race. It were better for that child not to be born who is not educated in the way of the Commandments of God; and parents cannot be indifferent,

whether they are the cause of a blessing or a curse, to their children. They cannot, therefore, leave them a prey to the ambition of the State. It is their duty and their inalienable right to have their children brought up according to their conscientious convictions. Hence the State that compels parents to send their children to schools which in their minds do not direct, but impede, them in the attainment of their last end, tramples their most sacred rights under foot.

But the State which monopolizes education goes still further in its injustice, it violates the divine right; for, if God has both naturally and positively sanctioned the law of domestic education, He cannot be indifferent as to its fulfilment. Whoever, then, conduces to or connives at the upsetting of this divine ordination, not only violates the rights of men, but lifts his unhallowed hand in rebellion against the Creator Himself. He opposes himself to the teaching of Christ, and impedes His Church in the discharge of her teaching office; for, supposing even the best case in which the minister of the church has access to the schools to teach the Christian doctrine, yet this is not the full exercise of the charge the Church has received from her founder. Abstracting from the fact that primary education is essentially religious, and is consequently altogether subject to the jurisdiction of the Church, in virtue of the commission given her by Christ to teach, preserve, and defend His doctrine, the Church has the divine right of supervision over the teaching of the various branches of profane science, in this sense that she can assure herself that those branches are taught in such a way as not to convey any error in faith, or anything manifestly leading to such error, nor to contain anything dangerous to morals. Hence a profession of faith is exacted by law not only of the professors of sacred but also of the teachers of profane sciences in ecclesiastical institutions. Therefore the State that takes education into its own hands, though it may permit religious instruction, violates the most fundamental of the divine rights of the Church. Whatever view, then, we choose to take of State education, it is a most flagrant injustice, a most impious and sacrilegious violation of the holiest rights of God and man.

If State education subverts the natural order instituted by the Creator, we may justly expect that it entails the most serious consequences for morality. And in fact we need not go far to find the pernicious moral effects of State or secular education. The catalogue of crime which is daily and weekly chronicled in our newspapers bears ample testimony to the effects of our public education. And how could it be otherwise if the schools are secularized, religion no more taught, if children are no more impressed with the eternal maxims, which alone (though only aided by the interior

grace of God) can restrain the impetuosity of the passions of man? History, sacred and profane, should have long since convinced the nations that man cannot be made moral without religion.

"Whatever may be conceded to the influence of refined education on minds of peculiar structure," says George Washington, in his last injunction to his country, "reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle." We are well aware that the advocates of godless education in this country are fond of telling us that crime is committed by the unlettered, not by the educated. They love to wax eloquent on the chastening and civilizing influence of the typical American schoolmarm, and the salutary moral effects of the coeducation of the sexes. And yet proverbial "young America," with all its amiable qualities, has, in great part, sat at the feet of those victims of civilization, and enjoyed all the blessings of mixed education, with "Bible-reading without note or comment," and "daily instructions in morals and manners." And who are the writers and readers and venders of dime novels and such like trash, which is deluging our country? Who are those who exercise and promote peculation and corruption and all manner of public dishonesty and swindling? Who are the Socialists and Communists and Nihilists who are now disorganizing society all over the world? Who are bursting the bonds of domestic society in this country, and practicing and abetting those abominations which Dr. Morgan Dix has recently revealed to the American public? Is it the much-decried, illiterate mass? No; those are men and women who have enjoyed all the blessings of education, *minus* religion, and we doubt not but the bulk of them have received "moral instructions" not inferior to those generally supposed to be given in our American common schools. And yet American educationalists muster numbers, and endeavor to prove to us statistically that illiteracy is the cause of crime, and express a holy horror of illiteracy as the source of all moral and social ills. "Let us fill the schools," they say, "and we shall empty the prisons," as if there was any connection between secular education and morality, or the exemption from crime.

A glance at the progress of crime in countries, where State education is in fullest bloom, and illiteracy a thing almost unknown, will convince the reader of the fruitlessness, or rather the demoralizing influence of public education. Let us take a few instances from the German fatherland, which, being eminently the land of modern civilization and public schools, cannot but be considered a fair representative. The growth of crime is simply alarming, especially amongst the youth. A Berlin preacher, in a report on the progress of crime in that city (1873), says: "At present

the prison cells, allotted to juvenile criminals, are so crammed that the room is no longer sufficient for them. In the course of 1872, no fewer than 392 such juveniles, from twelve to eighteen years of age, have been imprisoned, among whom 158 were under sixteen years. A lad, of fourteen, being asked in court of what denomination he was, replied: 'Denominations no longer exist; religion is no longer taught in the schools.' And then the reporter goes on to say: "The great mass of crime has grown upon the soil of religious indifference and radicalism. Most of the criminals show an appalling ignorance and carelessness in religious matters, and such a confusion of all moral ideas as would move any thinking man to compassion." This growth of crime has alarmed even the great champions of modern culture. Herr von Puttkamer, then minister of public instruction in Prussia, after expressing his regret that the influence of religious education was paralyzed in the State, said (1879): "I am convinced that on the day on which we cease to make the saving teachings of the Gospel the basis of education, the fall of our national civilized life will be inevitable." *Video meliora proboque; deteriora sequor.*<sup>1</sup> Such are the fruits of State education in Germany; and yet we must remember that German State schools, as a rule, are not non-religious. Cases of non-religious schools have been exceptional, and religious instruction has been generally given according to the denomination of the children, in a solid and systematic way; but this circumstance affords a striking evidence of the inefficiency of religious instruction if the education is secular, or, as it frequently happens, hostile to religion. When will our American advocates of non-sectarian schools learn this lesson?

If such are the moral fruits of State education, what must be its social effects? If citizens are brought up without religion, without conscience, without God, is it to be wondered at that society is disorganized, that the social order is shaken to its centre, that rulers are trembling on their thrones? If religion and morality, which, to use the words of George Washington, are "indispensable supports of political prosperity," the two "great pillars of human happiness and the firmest props of men and citizens," are once undermined, the whole

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<sup>1</sup> The percentage increase of crime in *Prussia*, from 1871 to 1878, was an average of 100 per cent., or double the number, the increase of population being only 4.4 per cent. Increase of crimes against morality, 148 per cent.; personal outrages, 143 per cent.; murders, 45 per cent.; against property, 226 per cent. In *Saxony*: murders, 85 per cent.; against morality, 181 per cent.; personal outrages, 200 per cent.; the increase of population being 7.4 per cent. In *Baden*: murders increase 69 per cent.; against morality, 122.9 per cent.; against property, 127 per cent. In *Wurtemberg*, 1872-77: average increase of crime, 83.5 per cent.; the increase of population, 3.3 per cent. In *Bavaria*, 1872-76: average increase of crime, 32.6 per cent.; of population, 3.3 per cent.

structure of society must needs totter to its fall. This is the practical outcome of State education.

But considered even from a theoretical point of view, the principle of State education is fraught with the most baneful consequences. "If the State owes its children an education at the common expense," says Bishop McQuaid, in a recent number of the *Journal of Education*, "there is no escape from the Communists' demand for food, clothing, and shelter at the common expense." The principle of State education, therefore, is essentially communistic. "If the mental wants of the rising generation ought to be satisfied by the State," says Herbert Spencer, "why not their physical ones? The reasoning which is held to establish the right to intellectual food will equally well establish the right to material food; nay, it will do more, will prove that children should be altogether cared for by the government." Spencer logically concludes that the principle of State education annuls all parental responsibility. And Stewart Mill does not hesitate to call State education an insupportable despotism, inasmuch as it forms the opinions and sentiments of the people in such a way that the State may lead them whither it pleases.

We are no admirers of the philosophy of Spencer and Mill, but the greater their aberrations in other respects the more importance must be attached to their views on this one point, in which they did not allow themselves to be carried away from the path of common-sense by the current of modern notions. And, in fact, if the State may regulate and superintend the mental development of its children, we do not see why it should not, in like manner, watch over their physical growth. If the State supply the schoolmaster, why not the nurse? If it prescribe the mental régime, why not also the physical? Why not enact a national bill of fare, based on the most approved medical principles? Why not legislate on the clothing, habitation, corporal exercises, of its youthful subjects? This principle of State education, if synthetized to its last consequences, would with logical necessity lead us to the adoption of the famous black-soup mess of the Spartans. However humane and philanthropic, then, the principle of State education may appear at first sight, if once admitted it necessarily paves the way to communism and despotism. And it matters very little whether the State that adopts it is a republic, or an oligarchy, or a monarchy. History teaches that the one of these forms as well as the other is liable to those excesses, as soon as it begins to disregard the natural laws which the Creator has traced out on human nature for the direction of civil society.

It is needless to point to the pernicious effects of State education on *religion*. When teachers and pupils are subtracted from



the salutary influence of the Church, when God and religion and all those things which appertain to man's last end and should be first and foremost in the training of youth, are proscribed for six days of the week, how is it possible to imbue children with religious sentiments, to ground them in the principles of their faith, so that they may learn to act on religious motives through life? Religion, at most, will be a matter of secondary importance with them. And even though regular religious instructions may be permitted, yet the education will be far from being a religious one. Primary education, especially, must be blended with religion; the children must be brought up in a religious atmosphere; religion must become familiar and easy, and, as it were, a second nature to them, and this is a thing impossible if the instruction is secular, if the Church does not exercise a direct influence on teacher and pupil. Infidelity or religious indifference is the inevitable consequence of such secular instruction. We have many sad instances to illustrate the truth of this assertion in our own country. For what is the cause of the progress of infidelity in this country, if not mainly the godless education given in our public schools? And if the number of Catholics in the United States which, thanks be to God, is considerable compared with other denominations, is not more than half what it ought to be, we believe that this is chiefly, though not solely, owing to public-school education.

But State education, we maintain furthermore, far from being beneficial, is highly injurious to the advancement of true *civilization*, to the true progress of education. Here we must remind the reader that the true civilization of a nation does not consist in its material power and resources, nor in the most perfect utilizing of the forces of nature for social comfort and industrial facilities. All these things of course are the outcome of culture in a certain department, which, though of great importance, is by no means the highest of civilized life. Neither does true civilization consist in the total exemption from illiteracy; for, as we have already shown, a high degree of mental culture and good taste is not incompatible with illiteracy. Many an unlettered Italian will pass a better judgment on the artistic merits of a work of art than an American high-school graduate, who has heard much talk of good taste and æsthetics. The true civilization of a nation is the perfect, harmonious development of the higher faculties of the people as such. Now, can this harmonious development of the higher faculties of a nation be obtained under State education? We emphatically deny the possibility; for how can the development be harmonious if the religious and moral side of human nature be altogether or partially neglected? How can even the intellectual faculties be properly de-

veloped when, as is generally the case in State schools, the whole education has a materialistic drift? How can the æsthetic faculties be awakened, chastened, and cultivated, if Christianity, in which alone lofty ideals are to be contemplated, is banished from the school-room and expunged from the school-books?

But the most lamentable effect of this purely secular education is the rise and spread of error. As soon as science is divorced from positive religion there is no safeguard against error. Science has no longer the bulwark of infallible authority to keep it within the proper bounds. The human mind has no longer the unerring monitor to check its vain curiosity, to say to it: "So far shalt thou come, and no farther!" It has no longer the beacon-light of faith to light it on its way through the shoals and cliffs, with which the great ocean of the intelligible is beset; therefore it is that, in our days, in which the human mind has emancipated itself from the restraint of authority, "men have become vain in their thoughts, and their foolish hearts are darkened, and, professing to be wise, they have become fools." They have, in truth, changed the glory of the incorruptible God into the image of the corruptible world, and rational men into the likeness of the ape, and reduced Creator and creation to a mere combination of matter and movement. This lamentable degradation of science in our days is the natural outcome of its divorce from positive religion. If any one looks on this as progress, he may boast that secular education is the mother of civilization. We will not reason with him.

Science has its God-appointed moderatrix in revealed religion. Nor does this subordination in any way derogate from the dignity of science; nay, it enhances the same, inasmuch as it guards science from error, which alone can degrade it. On the other hand, who does not see that it is the most unmitigated despotism against the human mind and against science, that their growth and development should be ruled by the State, which has no vocation, not to say capacity, for that task. Instances of this intellectual thralldom are not wanting in the history of modern philosophy. It is a patent fact that, as long as Hegel was in favor in the cabinet of Berlin, almost exclusively his followers were promoted to the higher chairs of learning in Prussia, which circumstance, more than anything else, has given popularity to his absurd system of philosophy and pedagogics among the learned; but, as soon as the wind of doctrine began to veer in ministerial circles, the young Hegels were almost systematically debarred from professional eminences.

Moreover, as competition is the life of trade, so also of education, and as State monopoly is prejudicial to any branch of business, so it must be to education. Of course, the State, having extensive resources at its disposal, can afford material facilities,

which private communities in our days can hardly attain to ; but the faculty or teacher, whose position is secured by government funds, will rarely devote the same energy to the work of education as those who altogether depend on their own efficiency for their support. Still greater will be the self-devotion of those who have sacrificed every temporal emolument for God's sake, in order the more freely to give themselves up to the task of education, whose affections are undivided by the cares of this world, and whose every thought belongs to the youth intrusted to their care. But State monopoly destroys that healthy competition, and leaves no room for those higher impulses. State professors, who have large numbers of pupils, will always have as many clever ones as will be able to save their reputations, but, if they are not actuated by higher motives, what cannot be indiscriminately supposed, they will allow the weaker talents to lag behind, or abandon their studies in despair. Anyone who is in the least acquainted with European State schools, knows what a wide gap separates teacher and pupil, what an absolute want of sympathy exists between them. One need only set his foot in a private institution to experience the difference. Here you can find the greatest mutual confidence and sympathy ; students having the greatest attachment to their teachers, and teachers having the most lively interest for the progress of every individual of their pupils. Whatever view, then, we take of State education, whether moral, social, religious, or pedagogic, we find it highly prejudicial to the cause of true education, culture, and civilization, a bane to the individual and to society, a crying outrage against the claims of human nature and the laws of the Creator.

It might seem to the reader as though we exempted the State from all concern for the education of its subjects. This, however, is far from being the case. It is the task of the State, or civil government, to provide for the weal of the community, as far as this can be done without infringing on the personal and domestic rights of its subjects, or on those no less sacred and inviolable rights which Christ conferred on His Church ; and nothing contributes more to the well-being of a people than a good education. It follows, then, that the State has the duty and the right to promote education within the limits of right. But to promote education it is not necessary to monopolize it ; nay, such monopoly, as we have shown, is highly injurious to the progress of education. The State has, then, undoubtedly the right to erect and endow schools at the public expense, where such are necessary or useful and not otherwise provided for. For such schools the State may make regulations and appoint teachers ; provided, however, it leave the Church full freedom to superintend and conduct the religious ed-

ucation in the same. The State may, also, and ought to, supply such facilities for higher education, as are too expensive for private enterprise, such as museums, observatories, art galleries, public libraries, botanical and zoölogical gardens. It should, moreover, organize and equip scientific expeditions, patronize all kinds of useful scientific research, and reward men of eminent literary and scientific merit in such a manner as to stimulate, not to pamper, genius.

That education, then, may be an object of government legislation is certain beyond all exception. The limits of this right of legislation must, as we hinted, be defined, on the one hand by the common good as a positive norm, and on the other hand by personal, domestic, and religious rights as a negative norm. We cannot in this paper enter into a detailed investigation of these limits. One question, however, we do not wish to pass over in silence. It is the vexed question of *compulsory education*. Can the State enforce compulsory education; that is, can it force parents to send their children to school up to a certain age, say twelve or fourteen years? Certain it is that the State cannot oblige them to send their children to any school in particular, much less to a school whose teaching is merely secular or hostile to their religious convictions. This would be against the most sacred rights and highest interests of parents and children. Neither can the State compel parents to send their children to any school at all if their education is otherwise provided for. So far, we believe, all right-thinking men agree. Now, the question arises whether the State can by law oblige parents to have their children taught reading, writing, reckoning, and the other elements of secular knowledge. On this point even Catholic authors are at issue. For our own part we believe that parents in our days are, under ordinary circumstances, bound in conscience to give their children the advantage not only of a religious education, but also, at least, of an elementary secular education; but we deny that the State can make or enforce laws to this effect. Parents are also in conscience bound to afford their children healthy food, clothing, and habitation; yet who will infer from this that the State has a right to regulate the kitchen, nursery, and other apartments in families, or make laws to prescribe the material and make of the children's dress according to the various seasons of the year? God has given this responsibility to parents, and it is only in cases of utter neglect that they are to be interfered with by outside authority. This extreme case of utter neglect in education cannot occur unless the child is altogether abandoned; then it is the duty of the State to interfere and provide for the necessary education.

But the advocates of State education urge that it is the duty of

the State to defend the rights of its subjects, and that the children have a right to an elementary secular education at least; that the State, therefore, can and must provide that every child within its jurisdiction is taught at least the elements. Here we must distinguish in education what is essential from what is non-essential. What is essential in mental education is the knowledge of those things which are necessary for the attainment of our last end, as in physical education that is essential which is necessary to preserve the physical life of the child, and to this the child has a strict right *ex justitia*. All further knowledge is non-essential, and can only be claimed by the child *ex equitate*; in other words, the parents are bound to give their children more education than is merely essential to their eternal salvation, in virtue of the law as to what they owe to their offspring; but they are not bound under the title of justice, and cannot therefore be compelled by coercive measures to the fulfilment of that duty of parental piety; the same way as a rich man who disinherits his children, and disposes otherwise of his property, sins against parental charity, but does not violate the right of another, because he only disposes of what is his.

But cannot the State legislate also in cases of mere equity? Certainly it can, but only within its own sphere and for the general good. But neither of these conditions is realized in the case in question. Education, as we have shown, does not fall within the sphere of the State, but is the proper function of domestic society. It is, therefore, only in utter default of parents that the State can assume this duty, and further interference is not for the common good, as we have seen, but leads to communism and despotism.

They further advance that the honor of a civilized State requires that all its subjects are able to read and write. Illiteracy, they say, is a disgrace to the nation. We do not plead for illiteracy, but we are unable to perceive any great ignominy or serious inconvenience to a State in the fact that some of its colliers and ploughmen and cowboys and dairymaids are not able to read the morning paper and carry on an epistolary correspondence with their friends, provided they are honest and thrifty and understand the simple science of their own craft. But such citizens, they say, are not fit for free suffrage. Why not? Unless because they are debarred of their franchise by their literate brethren. Further, they exclaim, such citizens are unfit to be true patriots and to defend their country. We have seen spectacled German students under arms, but we could not imagine that they were braver than the unlettered Crusaders of old, or more patriotic than the illiterate portion of the Irish Brigade.

All the arguments which are advanced in favor of compulsory education are, to our mind, utterly void of convincing force. All

they prove is, that the State should favor and promote education within its due limits, and that we fully agree to. In our days there is no need of coercion to induce parents to give their children the necessary secular education, if facilities are offered them. Self-respect and self-interest suggest this so strongly, where the state of society requires it, that coactive measures are needless. Where illiteracy is a considerable inconvenience, it will generally be found that in those cases in which mental education has been notably neglected, the physical has been a good deal more overlooked. And yet, though it is a true principle in education,—*prius est vivere; dein philosophare*,—no State ever thinks of making inquiries into the physical rearing of children, which falls within the province of the State more than the mental training. Why, then, should the State be so solicitous that the physically-neglected child, whom it has permitted to be half-starved, ill-clad, and ill-housed, should at the age of twelve con his A, B, C? Such delicacy we consider highly preposterous, not to say pharisaical. Compulsory education, therefore, in whatever shape or form it may be adopted and enforced by a State, we hold to be an overstepping of the divinely-constituted limits of political authority, and an egregious outrage against private and domestic rights.

To sum up our views in a few words: Abstracting from the prerogatives of the Church, we say that, according to the natural law, which is the basis of the moral order and of all positive legislation, education is the business of parents to the exclusion of all others; that they have, therefore, the sacred and inviolable right to educate their own offspring, or intrust them to the care of those who will educate them according to their moral and religious convictions; that the State, according to the same divinely-constituted order, should not be the educator of its children, but only the promoter and patron of education; that this is its only function with regard to education, by which alone it can lead the people to true civilization; that any further interference on the part of the State in the matter of education is not only violent and unjust, but must needs prove destructive to religion, to morality, to genuine culture, and to the social order of nations.

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