End Compulsory Schooling (IP-1-1996)

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Issue Paper

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"Do you think nobody would willingly entrust his children to you or pay you for teaching them? Why do you have to extort your fees and collect your pupils by compulsion?"

--Isabel Paterson[1]

As education is currently provided in the state of Colorado, and throughout the United States, one key fact is inexplicably overlooked: all the big decisions about how a child will be educated are made by someone other than the parents of that child. It is government that determines the significant elements of children's education. Parents are shunted to the sidelines, where they are expected to be little more than cheerleaders supporting the decision-makers. In a society dedicated to the virtues of family life, this most salient feature of education should be, to say the least, suspect. Two ill-considered government policies make the system possible: compulsory tax-financing of schools and compulsory attendance. That combination of compulsion and learning also should be suspect. This paper will discuss why compulsory attendance should be abolished and education decisions left to parents and children.

The Law

Colorado law, authorized by article 9 of the state constitution, requires that "Every child who has attained the age of seven years and is under the age of sixteen years...shall attend public school." It specifies that elementary school students must attend for at least 968 hours per year; secondary for at least 1,056 hours. Schools must be in session for at least 160 days a year unless the commissioner of education allows an exception. A child who attends, for at least 172 days, an independent or parochial school "which provides a basic academic education" is excused from public-school requirement. The statute goes on to say:

"Basic academic education" for the purpose of this article means the sequential program of instruction provided by an independent or parochial school. Such a program shall include, but not be limited to, communication skills of reading, writing, and speaking, mathematics, history, civics, literature, and science.

Others relieved of the public-school requirement include children who are homeschooled, pursue a work-study program supervised by a public school, or have completed twelfth grade before age 16. Colorado law recognizes homeschooling as "a legitimate alternative to classroom attendance" and says its regulation should be "sufficiently flexible to accommodate a variety of circumstances." The law states that "'non-public home-based educational program' means the sequential program of instruction for the education of a child which takes place in a home, which is provided by the child's parent or by an adult relative of the child designated by the parent."

Despite the exceptions and the acknowledgment of legitimate alternatives to public schooling, the state of Colorado, as do all states in the Union, reserves to itself the power to make the big decisions about the education of children. (2)

That power is distributed between the state government and local government agencies. The general assembly sets the minimum number of hours and the minimum number of days children will spend in school. It determines at what age children will start school and at what age they may leave. Local districts set the number of hours per day and which months children will be released from school. Within certain limits, school officials assign children to schools. School officials decide what children will study and when. They also determine what is an acceptable excuse for absence from school. Independent and parochial schools must satisfy state authorities that they are providing a "basic academic education"--which is defined by those authorities. Parents who wish to homeschool their children also must demonstrate to the authorities that their children are learning what the authorities think they should be learning.(3)

In other words, when it comes to shaping the education of children, parents are out of the loop. Whatever power they have as citizens to choose school officials or influence policy is no different from that possessed by citizens who have no children. That is how the system was designed. As John E. Chubb and Terry M. Moe write,

The fundamental point to be made about parents and students is not that they are politically weak, but that, even in a perfectly functioning democratic system, the public schools are not meant to be theirs to control and are literally not supposed to provide them with the kind of education they might want. The schools are agencies of society as a whole, and everyone has a right to participate in their governance. Parents and children have a right to participate too. But they have no right to win. In the end, they have to take what society gives them.(4)

Compulsory Attendance and the Family

An institution is defined by and gets its life from its purpose and functions.

Take away those functions and the institution must, to some degree, die. That is true of the family. A primary function of the family is the raising of children, including cultivation of the intellect. To the extent the government usurps that function, the family withers. If government replaces parents as the educational decision-maker, they will tend to turn their attention elsewhere on the assumption that the government's certified experts are seeing to their children's intellectual development. The tragic irony is that the key to successful education is the support of parents. Moreover, if education has the illusion of being free of charge (of course, it is not), a bad situation is made worse as parents are relieved of the conscious responsibility for paying for a critical part of their children's upbringing. What appears to be free is undervalued.

At the root of the anti-family effect of public education is compulsory attendance. That detrimental effect is not merely an unintended consequence of public education. Statements by early advocates of government schools often betrayed a belief that the home was a bad influence on children, particularly on those from working-class and immigrant homes. The object of public education thus was to get the children away from the parents long enough to instill proper virtues in them.

For example, Benjamin Rush, a signer of the Declaration of Independence and a prominent physician, stated that "Society owes a great deal of its order and happiness to the deficiencies of parental government being supplied by those habits of obedience and subordination which are contracted at schools." He also said, "Let our pupil be taught that he does not belong to himself, but that he is public property. Let him be taught to love his family, but let him be taught at the same time that he must forsake and even forget them when the welfare of his country requires it."

In the 19th century, Archibald D. Murphey, founder of the North Carolina public schools, said,

"[The children's] parents know not how to instruct them....The state, in the warmth of her affection and solicitude for their welfare, must take charge of those children and place them in school where their minds can be enlightened and their hearts trained to virtue."

The founder of what was then called the common-school movement, was Horace Mann, the first secretary of education in the Commonwealth of Massachusetts. As he put it, "We who are engaged in the sacred cause of education are entitled to look upon all parents as having given hostages to our cause."

These days, public education is defended in the name of democracy and good citizenship. Most people are unaware that the tax-funded, compulsory school

system was designed to save children from the bad influence of their parents.

What Things Were Like before Compulsory Attendance

The defenders of public education have led us to believe that compulsory attendance is necessary to a literate, educated citizenry. They imply that before the state governments established school system, only the elite were educated and that poverty or parental neglect caused many children to be illiterate. It is not so.

The public schools were not established to make up for any deficiency in people's ability to learn to read, write, do arithmetic, and acquire knowledge of other subjects. Educator Robert A. Peterson has noted that from the middle of the 17th century to the middle of the 19th century "public schools as we know them were virtually non-existent. "In these two centuries," however, "America produced several generations of highly skilled and literate men and women who laid the foundation for a nation dedicated to the principles of freedom and self-government."(5)

As Jacob Duche put it in 1772,"Almost every man is a reader."(6)

The proponents of public schools seem to believe that without government compulsion, many parents would not look at after the education of their children. But Jack High and Jerome Ellig found that

Private education was widely demanded in the late 18th and 19th centuries in Great Britain and America. The private supply of education was highly responsive to that demand, with the consequence that large numbers of children from all classes of society received several years of education.(7)

Contemporary observers tell the same story. After researching education among the working-class, the British economist James Mill, in an 1813 article in the *Edinburgh Review*, wrote:

We can ourselves speak decidedly as to the rapid progress which the love of education is making among the lower orders in England. Even around London, in a circle of fifty miles radius, which is far from the most instructed and virtuous part of the kingdom, there is hardly a village that has not something of a school; and not many children of either sex who are not taught more or less, reading and writing. We have met with families in which, for weeks together, not an article of sustenance but potatoes had been used; yet for every child the hard-earned sum was provided to send them to school.(8)

That was written well before England, in 1880, adopted universal compulsory elementary schooling.

High and Ellig also show that government involvement in education "displaced

private education, sometimes deliberately stifling it [and] altered the kind of education that was offered, mainly to the detriment of the poorer working classes."[9]

Historian Robert Seybolt has written that private education was dynamic and responsive to families, as one would expect when parents control the spending:

In the hands of private schoolmasters the curriculum expanded rapidly. Their schools were commercial ventures, and, consequently, competition was keen.... Popular demands, and the element of competition, forced them not only to add new courses of instruction, but constantly to improve their methods and technique of instruction.[10]

Schooling in that early period was plentiful, innovative, and well within the reach of the common people. What effect did it have? High and Ellig note that 80 percent of New Yorkers leaving wills could sign their names. Other data show that from 1650 to 1795, male literacy climbed from 60 to 90 percent; female literacy went from 30 to 45 percent. Between 1800 and 1840, literacy in the North rose from 75 percent to between 91 and 97 percent. And in the South during the same span, the rate grew from 50-60 percent to 81 percent.[11]

According to historian Carl F. Kaestle, "Literacy was quite general in the middle reaches of society and above. The best generalization possible is that New York, like other American towns of the Revolutionary period, had a high literacy rate relative to other places in the world, and that literacy did not depend primarily upon the schools."[12]

Indeed, Senator Edward M. Kennedy's office reported that before Massachusetts became the first state to force children to go to school, literacy was at 98 percent; in 1990, the rate was 91 percent.[13]

Other indicators of the high rate of literacy are book sales and the booming publishing trade in the colonies and young nation. Thomas Paine's pamphlet *Common Sense* sold 120,000 copies in a colonial population of 3 million (counting the 20 percent who were slaves)--the equivalent of 10 million copies today. In 1818, when the United States had a population of under 20 million, Noah Webster's *Spelling Book* sold over 5 million copies. Novelist Walter Scott sold that many books between 1813 and 1823, the equivalent of selling 60 million copies in the United States today. *The Last of the Mohicans* by James Fenimore Cooper sold in the millions. And as former teacher John Taylor Gatto notes, Scott's and Cooper's books are not easy reading. Nor are *The Federalist Papers*, which were originally published in a newspaper for the common people. European visitors to early nineteenth-century America--such as Alexis de Tocqueville and Pierre du Pont de Nemours--marveled at how

well educated the people were.[14]

In the late 18th century, du Pont de Nemours wrote:

The United States are more advanced in their educational facilities than most countries. They have a large number of primary schools; and as their paternal affection protects young children from working in the fields, it is possible to send them to the school-master--a condition that does not prevail in Europe.

Most young people, therefore, can read, write, and cipher.... In America, a great number of people read the Bible, and all the people read a newspaper.[15]

High and Ellig sum up the experience of the 18th and 19th centuries by noting that "the available evidence strongly indicates that Americans of the period took an active interest in education.... The private supply was extensive, not only in the number of children served but in the spectrum of social classes involved."[16]

Did attendance increase when governments began passing compulsory-attendance laws? Professor West replies:

The laws that were actually established did not in fact secure in the nineteenth century an education that was universal in the sense of 100 per cent school attendance by all children of school age. If, on the other hand, the term "universal" is intended more loosely to mean something like, "most," "nearly everybody," or "over 90 per cent" then *we lack firm evidence to show that education was not already universal prior to the establishment of laws to provide schooling that was both compulsory and free*.[17]

In other words, without command of the law, children went to school.

Thus, the rise of public, or government, schools was not a response to an inability on the part of society to provide for the education of its children but rather a manifestation of what later came to be called the "Progressive" mindset, the belief that life increasingly needed to be subject to control by experts and central government planning. As education historian Joel Spring has written, "The primary result of common school reform in the middle of the nineteenth century was not the education of increasing percentages of children, but the creation of new forms of school organization."[18]

What's Wrong with Compulsory Schooling

Compulsory-attendance laws can be criticized on many grounds. To start with the most basic, forced attendance cannot be squared with the notion of liberty on which the United States was founded. The late John Holt, a former school

teacher and education writer, wrote,

The requirement that a child go to school, for about six hours a day, 180 days a year, for about ten years, whether or not he learns anything there, whether or not he already knows it or could learn it faster or better somewhere else, is such a gross violation of civil liberties that few adults would stand for it. But the child who resists is treated as a criminal.(19)

That we do not regard the forced day-time internment as a violation of the child's or parents' rights only shows how thoroughly people have been propagandized by the advocates of the present system. The government says it has a "compelling interest" in the education of children. Too few people have been willing to reply in the manner of the Jimmy Stewart character in the movie *Shenandoah*: "These aren't the state's children; they're mine."

It is true that the courts have upheld the right of parents to choose alternatives to the government's schools. When Oregon outlawed such alternatives, the U.S. Supreme Court in *Pierce v. Society of Sisters* (1925) overturned the prohibition. But the court was quick to add:

No question is raised concerning the power of the state reasonably to regulate all schools, to inspect, supervise, and examine them, their teachers and pupils; to require that all children of a proper age attend some school, that teachers shall be of good moral character and patriotic disposition, that certain studies plainly essential to good citizenship must be taught, and that nothing be taught which is manifestly inimical to the public welfare.(20)

Thus, the court said parents have a right to choose any alternative to the government's schools--as long as the government approves. (That is reminiscent of Henry Ford's guarantee that his customers could have their Model Ts in any color, as long as it was black.)

What the court granted parents and children was not freedom, but choice. The difference, though perhaps subtle, is immense. Choice has come to mean selection from a constricted menu of options drawn up by government authorities.(21)

In contrast, freedom is the open-ended right to determine one's own course.(22)

While a signer of the Declaration of Independence believed in compulsory schooling, the author of the Declaration did not. Many people are aware that Thomas Jefferson favored government-sponsored schools. Fewer know that his position did not include forced attendance. "It is better to tolerate the rare instance of a parent refusing to let his child be educated," he said, "than to shock the common feelings and ideas by the forcible transportation and

education of the infant against the will of the father.[23]

Schools are supposed to facilitate learning. We might wonder, then, what lessons children take from the fact that the state compels them to sit in the classroom even if they and their parents wish to pursue education in other, unapproved ways. How does that prepare children to be citizens of a society that prizes liberty, autonomy, and self-responsibility?

Obviously, if the state requires children to attend school, it must define "school," "education," basic academic education," "sequential program of instruction," and other key terms. That power to define is the power to control and determine the destiny of children. What begins as a seemingly innocuous requirement--all children must go to school--results in close to total power to dictate the details of every child's education, which will substantially influence his historical, social, and political view of the world. Professor Stephen Arons has pointed out that such power infringes on the intellectual freedom protected in the First Amendment of the U.S. Constitution.[24]

On the face of it, learning and compulsion seem an odd combination. People generally dislike what someone else forces them to do. Is it really wise to associate learning with force, tedium, and arbitrariness? Albert Einstein experienced that approach to learning in the German public schools. As he reminisced:

One had to cram all this stuff into one's mind, whether one liked it or not. This coercion had such a deterring effect that, after I had passed the final examination, I found the consideration of any scientific problems distasteful to me for an entire year.... It is in fact nothing short of a miracle that the modern methods of instruction have not yet entirely strangled the holy curiosity of inquiry; for this delicate little plant, aside from stimulation, stands mainly in need of freedom; without this it goes to wrack and ruin without fail. It is a very grave mistake to think that the enjoyment of seeing and searching can be promoted by means of coercion and a sense of duty. To the contrary, I believe that it would be possible to rob even a healthy beast of prey of its voraciousness, if it were possible, with the aid of a whip, to force the beast to devour continuously, even when not hungry--especially if the food, handed out under such coercion, were to be selected accordingly.[25]

Some in the education field have begun to realize that there can be too much school. In 1991 a U.S. Department of Education official, John Burkett, criticized the "prolonged adolescence" induced by compulsory attendance. In the seventies, a federal report called for cutting formal schooling down to two to four hours a day because of the classroom's detrimental effect on children's development.[26]

Unfortunately, many other authorities are moving in the opposite direction. In some states, compulsory attendance at school has been extended to

compulsory community service (briefly called "mandatory volunteerism" in Maryland). Others have called for a longer school year or an earlier age for starting school. Gov. Roy Romer in 1992 proposed that "at-risk" four-year-olds be forced into school.[27]

Compulsory Schooling Harms Education

The power to control the education of the young historically has presented an irresistible temptation to use the schools as laboratories for social engineering. Children, like laboratory animals, are periodically subjected to fads cooked up in the schools of education. When parents and other complain, they are often dismissed as cranks. But the critics are often right. In September 1995, the California's superintendent of public instruction apologized to the people of the state for a disastrous ten-year experiment in the whole-language approach to reading and an experimental method for teaching mathematics. "What we made was an honest mistake," said Delaine Eastin.[28]

Only compulsory attendance (and financing) could permit a state government to persist in an error for millions of children for a decade. That's the cost of centralized decision-making. Where parents are free to make their own decisions at the family level, any errors are on a small scale.

The California error was not the first. According to Marion Joseph, who was on the task force that studied the California disaster, "It was just another example of how education more than any other field goes pendulum--swinging without any solid research."[29]

Social engineering occurs in nonacademic matters also. For the sake of racial and ethnic goals, children have been moved great distances just to get to school. The comfort and convenience of the children were subordinated to a larger social cause. It was not the first time. When the public schools started, part of their mission was to instill the Protestant view of the world, complete with Protestant prayers and Bible readings--to the dismay of Catholics and others who then set up their own systems. In the early sixties, after the intellectual elite of the country came to be committed to secularism, the Protestant religion was banned from the public schools. However much they were offended, families that could not afford an alternative to the tax-supported schools had to go along. The system had a captive audience, and it behaved as one might expect.

Some proponents of compulsory attendance argue that schools must educate children to be highly-skilled workers in the emerging global economy; a teenager who drops out is unlikely to have a high lifetime income potential. True enough, but teenagers who are kept in school against their will are unlikely to learn much anyway. And through disruptive or violent behavior,

those teenagers may help ruin the education of motivated students.

It is true that when students drop out, the school receives less money from the state or local government. (The fact that government schools receive funding on the basis of their body count is a major reason why government school employee and administrator organizations are such energetic promoters of compulsory attendance.) There is nothing unfair about reducing school funding when the number of students declines; indeed, if students were treated like voluntary education consumers instead of prisoners, some schools work harder at becoming places where more students would choose to attend.

School Safety

Forced attendance also has the well-known effect of letting children who do not want to be in school, some of them violent threats, disrupt those who do. Children vary widely. Formal schooling may not be best for all (or even most) of them. What is the purpose of compelling a child to waste time in a classroom, when he could be using that time more productively? It is such considerations that have prompted State Rep. Russ George to call for repeal of the forced-attendance law. "The real question we're asking ourselves," George says, "is 'Where do we focus our attention?' Do we focus it on the good kids or on the bad kids. So often the bad kids get a higher degree of attention and dollars."(30)

When compulsory attendance laws were being instituted, there was no objection that such laws would endanger the safety and even the lives of teachers and of students who wanted to be in school. Circumstances having changed over the last century, it is reasonable to re-think compulsory attendance. Forcing a teenager who does not want to learn to be present on school premises anyway may do little good for the student, and may cause substantial trouble for the students who do want to learn.

The most common objection to re-examining compulsory education laws is that letting teenagers out of school merely transfers the problem from the school to the street. But on the street, the drop-out will have no opportunity to disrupt the peaceful education of dozens of other children every day. For at least some drop-outs, the experience away from school might prove a sobering experience, and awaken an interest in the benefits that school attendance can provide. Other drop-outs might pass their days more happily and usefully working at a convenience store or loading dock than passing time in an overcrowded classroom from which they would graduate illiterate.

Of course some teenagers will waste their lives out of school with as much determination as they wasted their lives while in school.(31) But at least they will not prevent other students from learning.

Proponents of the government schools as training centers for global economic

competition often point to Japan as a nation which produces highly literate, numerate high school graduates. And so Japan does. American schools should not blindly imitate Japanese schools, for Japanese schools tend to over-emphasize rote memorization and groupthink. But one of the reasons that Japanese high schools are so successful at teaching calculus, science, foreign languages and other subjects whose mastery eludes so many American high school graduates is that attendance at Japanese high schools is completely voluntary. Nobody has to go to high school in Japan unless he or she wants to. As a result, writes criminologist Jackson Toby:

"Dealing as they do exclusively with voluntary students, Japanese high school teachers are more firmly in control of their high schools, without the help of security guards or of metal detectors...Japanese teachers are not afraid to admonish students who start to misbehave because the overwhelming majority of students care about their teachers' favorable attitudes.

Because the entire high school student body consists of youngsters who *want* to attend, Japanese teachers are able to require of these voluntary students greater studiousness than it is possible to require of involuntary students...Japanese high school teachers are hardly ever assaulted by their students..."(32)

While in the United States, school violence is greater in high schools than in junior highs, the reverse is true in Japan. In the junior highs, attendance is compulsory, and virtually all the violence is perpetrated by the seven percent of junior high students who choose not to continue into senior high.(33)

Putting aside other arguments for and against compulsory education, abolishing compulsory attendance beyond the fifth grade would almost certainly have an immediate, dramatic effect in reducing school violence in the United States. (Violence in elementary schools is rare enough that a case for abolishing compulsory attendance in the lower grades cannot be made on the basis of reducing violence.) Accordingly, persons who insist on maintaining the present system of compulsory attendance all the way through the twelfth grade should, at the least, offer evidence that the social good of compulsory education more than compensates for the violence (and the disruption of education) which compulsory education inflicts on teachers and on students who want to learn.

The "Right to Education"

Compulsory education is often defended in terms of the "right to education." But it hardly makes sense to compel someone to exercise a right. Strictly speaking, there can be no right to something that must first be provided by someone else, for that would entail a right to that person's resources or labor. Does a child have a right to the teaching services of a particular person regardless of that person's willingness to teach? Of course not. That would be

involuntary servitude. Does a child have a right to the taxpayers' money? One would be hard pressed to establish such a right.

Moreover, since state education requires scarce resources (human effort, physical materials), it does not exist costlessly and in endless supply. A school building must be in a particular location, a teacher can be only at one place at a time, etc. State officials will make those decisions. Thus what starts out as a right supposedly possessed by people ends up being an awesome power possessed by government. The right to an education translates into the authority of government officials to decide where and how children will be educated. Calling that a right is, to say the least, misleading.

A real right to an education, which would be better phrased as the right to educate oneself or one's children, would mean the unsupervised right to use one's own resources to that end. Such a right is consistent with the natural-rights approach of the founders of the United States that is embodied in the Declaration of Independence.

Irresponsible Parents

Defenders of compulsory attendance will object that some parents will not see to it that their children are educated. Can that justify forced schooling? As we have seen, children were being educated before the compulsion was on the books. America in the colonial and early national period was a highly literate nation in which common people debated such issues at the merits of the independence versus continued membership in the British empire, the Constitution versus the Articles of Confederation, gold versus paper money, and free trade versus the tariff. Even children from homes with less than exemplary parents managed to learn to read and cipher, perhaps as part of apprenticeships. Yet, the earliest advocates of forced schooling warned that parents were too irresponsible to be trusted with their children's education.

In any society, there will be a small percentage of parents who will neglect their children. But is compulsory attendance in government schools an appropriate response?

In answering that question, let us begin by observing that in the hands of government officials, the charge of neglect could soon mask a philosophical disagreement over how children should be brought up. It has happened before. Oregon, under the influence of the Ku Klux Klan, outlawed all independent schools. Wisconsin prohibited Amish parents from withdrawing their children from school after the eighth grade. (In both cases, the U.S. Supreme Court thwarted the state governments.) Given the chance, governments think nothing of telling parents how to raise their children.

Moreover, the argument that school should be compulsory because parents may be irresponsible proves too much. The government would have to define

irresponsibility. That is not an uncontroversial matter. Many people believe that parents who give their children no religious upbringing are irresponsible. Should the state require children's attendance at religious services? Others believe that fundamentalist parents are irresponsible. Should children's attendance at fundamentalist churches be prohibited? The biggest academic boost parents can give to children is to give books a prominent place in the home. Should the government require parents to do that? Should the law limit how much time children spend in front of the television? Some members of the educational establishment, such as Annette Cootes of the Texas State Teachers Association, believe homeschooling is child abuse. Should it be prohibited? The National Education Association thinks so and passes a resolution to that effect at each national convention. If the state begins prescribing the principles of proper child-rearing, where should it stop?

The advocates of forced schooling must also explain why it would be a remedy for neglectful parents.[(34)]

According to much research, parental support is the most critical factor for success in school and later in life. Where is the evidence that school can overcome a home lacking in that support? Most schools inculcate an authoritarian culture, which would seem to be the wrong antidote for parental neglect. The few cases where a child from a bad home profited from school are more than matched by those in which children made successes of themselves by venturing into the adult world with little or no to school. The children in both sets of cases were likely the kind who would have overcome almost any adversity.

In the cases of actual neglect, private efforts are preferable to heavy-handed government mandates. Religious and other volunteer organizations, operating not under the color of law, might be better received than the police or child welfare agents, who are often objects of suspicion and resentment.

Finally, it is not clear why the great majority of children with responsible parents should be made to suffer in a bureaucratic education system because of a relatively few bad parents. We have already noted that a "free" education, about which government makes all the decisions, encourages a form of neglect in parents. Thus, the irony of having government remove education from the parents' jurisdiction, in the name of combating neglect, is that it encourages all parents to care less about education than they otherwise would. In an unregulated educational system, a few children may slip into the cracks; but the alternative is one in which nearly all children fall into the abyss that is coercive government schooling.

Where from Here?

We have seen that an educated society does not need government to compel

children to attend school. The United States and England, among others, achieved high levels of education without compulsion. Colorado has an opportunity to be on the cutting edge of real educational reform by repealing its compulsory-attendance statute. The next step is to restore education to the voluntary funding and parental freedom that gave the United States a superior education system before 1850 and made this nation the envy of the world.

Endnotes

1. Isabel Paterson, *The God of the Machine* (1943; New Brunswick, N.J.: Transaction Publishers, 1993), p. 261.

2. Since all parents must pay school taxes regardless of whether they send their children to public schools, the number of people who can afford to pursue alternatives to the government's schools is small. Nationwide, 88 percent of children attend public schools.

3. That these regulations are not rigorously enforced does change the fact that the authority is still vested in the state and local governments.

4. John E. Chubb and Terry M. Moe, *Politics, Markets and America's Schools* (Washington, D.C.: Brookings Institution, 1990), p. 32.

5. Robert A. Peterson, "Education in Colonial America" in *Public Education and Indoctrination* (Irvington, N.Y.: Foundation for Economic Education, 1993), p. 35.

6. Peterson, p. 44.

7. Jack High and Jerome Ellig, "The Private Supply of Education: Some Historical Evidence," in Tyler Cowen, ed., *The Theory of Market Failure* (Fairfax, Va.: George Mason University Press/Cato Institute, 1988), pp. 378-79.

8. E. G. West, *Education and the State: A Study in Political Economy*, 3d edition, revised and expanded (1970; Indianapolis, Ind.: Liberty Fund, 1994), pp. 170-171.

9. High and Ellig., p. 362.

10. High and Ellig, p. 368.

11. Barry W. Poulson, "Education and the Family During the Industrial Revolution," in Joseph R. Peden and Fred R. Glahe, eds., *The American Family and the State* (San Francisco: Pacific Research Institute, 1986), p. 138.

12. High and Ellig, p. 369.

13. See John Taylor Gatto, *Dumbing Us Down: The Hidden Curriculum of Compulsory Schooling* (Philadelphia: New Society Publishers, 1992), pp. 25-26.

14. John Taylor Gatto, "Our Prussian School System," *Cato Policy Report*, March/April 1993.

15. From Pierre du Pont de Nemours, *National Education in the United States of America* (1812; Newark, Del.: University of Delaware Press, 1923), pp. 3-4. Quoted in Susan Adler, "Education in America" in *Public Education and Indoctrination*, pp. 23-24.

16. High and Ellig, p. 373.

17. West, pp. 335-36; emphasis added. He adds that "what has been intended by this term [universal] has often been not a target of universal education so much as an education universally in public schools" (p. 336).

18. Joel Spring, *The American School, 1642-1885* (New York: Longman, 1986), p. 112.

19. John Holt, *Escape from Childhood: The Needs and Rights of Children* (Cambridge, Mass.: Holt Associates, 1995), p. 187.

20. 268 U.S. 510, 45 S.Ct. 571.

21. Voucher plans and charter schools are examples of such "choice."

22. We owe this distinction to the medical writer Sue A. Blevins.

23. Loraine Smith Pangle and Thomas L. Pangle, *The Learning of Liberty: The Educational Ideas of the American Founders* (Lawrence, Kans.: University Press of Kansas, 1993), p. 115.

24. See Stephen Arons, *Compelling Belief: The Culture of*

American Schooling (New York: New Press/McGraw Hill, 1983).

25. Quoted in Paul Goodman, *Compulsory Mis-education and The Community of Scholars* (New York: Vintage Books, 1964), p. 6.

26. These examples are cited in James Bovard, *Lost Rights: The Destruction of American Liberty* (New York: St. Martin's Press, 1994), pp. 127-28.

27. Bovard, p. 128.

28. Deborah Anderluh, "We Goofed, Says Eastin, Who Urges Math, Reading Reforms," *Sacramento Bee*, Sept. 14, 1995, p. A1.

29. Quoted in Patrick Welsh, "Why a 12th-Grader Can't Read," *Washington Post*, Nov. 26, 1995, p. C1.

30. Valerie Richardson, "Colorado Plan Would End Required School Attendance," *Washington Times*, Nov. 28, 1995, A1.

31. Recent research suggests that once other variables related to the drop-out--such as number of prior arrests--are considered, dropping out does not appear to be a strong causal factor in subsequent delinquency. G. Roger Jarjoura, "Does Dropping Out of School Enhance Delinquent Involvement? Results from a Large-Scale National Probability Sample," *Criminology*, vol. 31 (no. 2, 1993): 149-72.

32. Jackson Toby, "The Politics of School Violence," *The Public Interest*, no. 116 (Summer 1994), p. 52 (italics in original).

33. *Ibid*., pp. 52-53.

34. On the fear that parents will not make good choices about school, see Charles L. Glenn, "Controlled Choice in Massachusetts Public Schools," *The Public Interest* 103 (Spring 1991), pp. 97-98.

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Parent Information Center

The Independence Institute's Parent Information Center has begun a major education reform project: **Report Card on Schools**. The Institute has built a computerized database of information on individual schools throughout Colorado. The Report Card will include all public schools and as many private schools as possible.

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