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ABSTRACT

While the impact of schools in colonial America was soft before the mid-eighteenth century, devotion to education was strong and self-evident. By the early nineteenth century, schooling was well on its way to becoming universal for most children. As the nineteenth century wore on, the state became more and more involved in schooling. As taxation directed funds to state-supported Common Schools, the influence of privately financed schools began to wane. Educational choices became fewer and more costly after the mid-nineteenth century, partly due to a tax structure that left few options. Once the public tax-supported school achieved dominance compulsory school attendance laws followed in short order. Since most people were literate, and most children already attended school, why were compulsory attendance laws needed? Attendance laws were directed most specifically at deviant minorities who often did not attend public schools. If the public school was to instill the proper mores in those who might disrupt the social fabric, then that group had to be compelled to attend. However, this compulsion effectively usurped most alternatives, options, and variability in education.
(Author/JG)

Some Antecedents to Compulsory School Attendance*

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This paper presents a historical overview of compulsory school attendance in an effort to better understand the origin of compulsory attendance laws. I have chosen to concentrate upon what may be termed "the antecedents" to the passage and enforcement of the laws themselves. In examining these antecedents I want to focus on three main areas. First upon the very beginnings of schooling within the Republic because I believe compulsory attendance needs to be understood within that context. Secondly I want to turn to the Common School movement during the early and middle nineteenth century to show how the dominance of the Common School led to an overall restriction of educational choice for the majority of those in society. Finally, I want to consider the events leading up to actual passage and enforcement of the laws themselves. I will in this paper try to demonstrate that while the population of the country was becoming more diverse and pluralistic, the schools of the nation evolved increasingly toward monolithism and constraint--a situation which still today restricts the schools' ability to meet a diversity of needs.

What was education like in Colonial America? Of course this is a very broad and complex question but for purposes here I would like to discuss education in terms of its effect on literacy and school attendance.

The growth and transformation of American education is a story of change from an informal, loosely structured, discontinuous educational process to a school system which was formal and explicit, increasingly centralized, and based on continuity and flow from one unit to the next. In the earliest days of the colonies, culture was transmitted primarily by family, church, and community, and formal organizations for the transmission of culture were infrequent and

dichotomous. By the middle of the eighteenth century schools had arisen to assume a greater burden in the enculturation of the young as the modal form of cultural transmission slowly shifted to new and secondary institutional arrangements.

While the impact of schools was soft before the mid-eighteenth century, devotion to education was strong and self-evident. A variety of educative "configurations" existed in terms of published sources, voluntary associations, neighborhood groups, and merchant's organizations--all providing arenas for debate and the exchange of ideas within Colonial America. With communication and the attendant trade, travel, and the exposure to new experiences came varied opportunities for learning for both young and old.

A commitment to the learning of basic skills is effectively dramatized by the degree of literacy present in Colonial America. Lawrence Cremin has pointed out that the ability of people to read and write for minimal technical competency ranged in the mid-eighteenth century for white adult males from 70 to 100 percent; similar estimates for degrees of literacy in England were from 50 to 70 percent. This commitment to learning seems to have been translated into learning in schools for a sizable portion of the society by the late eighteenth century, and enrollment rates in schools increased into the nineteenth century. By 1821 in New York for example, 342,000 of the 380,000 children ages 5 to 15 were estimated to be in school; in the New England states attendance ratios by 1830 ranged from lows of 52 percent to highs of 84 percent.

The modal attendance pattern of the era is interesting to examine, as exemplified by Carl Kaestle's study of New York City in the late eighteenth century.

He shows that about 52 percent of the school-age population ages 5 to 15 attended school, but demonstrates that this does not mean that 48 percent did not attend; rather that they did not attend during a certain cross-sectional period of time. Attendance patterns were such that a child might attend school early in his life and not return or might enter later for a specified period of time; indeed he might even be in and out of the school as the need arose. Such flexibility is considered utopian by many modern educational thinkers.

In looking at education and schooling throughout the end of the eighteenth century, we can say that education was a highly valued process, illustrated by the remarkably high degree of literacy. But the learning of such skills shifted away from the community and the family and schools sprung up with remarkable frequency to continue and even increase the formal education of the young. By the early part of the nineteenth century schooling was well on its way to becoming a universal aspect in the lives of most children. Not schooling as we know it today--continuous from 6 to 16--but schooling in amounts to transmit certain skills and beliefs. This strong presence of almost universal schooling is important to note for it existed before attendance at a school became mandatory.

Schools of the late eighteenth and early nineteenth century were largely of a private and informal nature. At one time the state's role in terms of education was minimal; it stepped in only when private voluntary agencies failed or could not mount an effective effort. But as the nineteenth century wore on, the state became more and more involved in schooling, as much a result of a slow gravitation of power to the state in the form of taxation as by any concerted or distinctive decision. The state gaincd the advantage in terms of its control of

more predictable sources of funds, and as taxation directed funds to state-supported Common Schools and away from privately financed schools, the influence of non-state supported schools began to wane.

Of course there are a variety of ideological reasons as to the accretion of power to the Common School system and its eventual triumph as the system. Certainly those such as Mann, Barnard and their allies in state legislatures saw schools as more than just providing a good education to all children; they envisioned the schools as reinforcing and even building the common system of values which would serve as the bedrock of the American national ideology. Additionally the growth of the Common School was part of a movement towards moral reform wherein institutions were built to instill virtue as defined by those most vocal in their support of those institutions. Political reasons were also important in the growth of the Common School, for as Michael Katz has shown us the reform of high schools in mid-nineteenth century Massachusetts resulted from attempts by the traditionally dominate power groups to reassert their leadership and not concern for humanitarianism or identification with the under-privileged.

Consequently, by the middle of the nineteenth century, free publicly supported schools were part of an American educational system everywhere but the frontier and in isolated rural areas. In many urban areas, schooling in public schools was virtually universal for about 90 percent of the children between ages 8 and 11. Yet soon educational choices became fewer and more costly after the mid-nineteenth century--prohibited in part by a tax structure which left few options. Whereas many parents once had the choice of where to send their

children to school, they soon had only the option of whether or not to attend a school and how long to attend. The Common School effectively determined where a child would attend, and its existence as a coordinated, somewhat standardized and pervasive system made schools, for the first time, amenable to uniform decisions of public policy.

Compulsory school attendance laws followed in short order once the public tax-supported school had achieved dominance by the middle of the nineteenth century. The majority of such legislation was passed during the last quarter of the nineteenth century and by 1918 all states had adopted compulsory attendance laws.

While compulsory attendance statutes themselves surfaced late in the nineteenth century, the foundation of the laws existed earlier. The rise of the Common School which we just discussed established a uniform institutional base controlled and funded by the state. While this was an important prerequisite of compulsion, there were other bricks in the institutional wall supporting the enactment of the laws. For example many states had passed truancy laws long before compulsion laws and although truancy laws were not so much to force attendance as they were legal justifications for reducing vagrancy, they did supply the legal precedent for state regulation of attendance. Additionally, the increased centralization and bureaucratization in the public system provided the administrative machinery which enabled the development of compulsory attendance laws.

I want to turn briefly to the context under which compulsory attendance laws grew and focus upon the growing urbanization, industrialization, and immigration occurring in the country during the middle and late nineteenth century.

We must remember that these conditions exacerbated an awareness by the majority of certain undesirable conditions such as poverty, delinquency, unemployment, idleness, and other basic forms of social disorganization. These conditions were particularly visible because they were the plight of certain "types" of people who increasingly populated urban areas. In many respects, compulsory attendance laws were directed against the conditions of urban social disorganization but latently directed at the groups of people who most visibly showed evidence of possessing those characteristics. Given that a certain "type" of person was loose in urban society and thus not in the school, those designated groups soon became the target in a search for cures to the problems of an increasingly urbanized society. It is more than coincidental that these target groups were predominately immigrants from southern and eastern Europe--people who were "different" from other immigrants not only because of their physical characteristics but because they were usually poor, less literate, concentrated more in urban areas than did earlier northern Europeans, and perhaps most importantly, were non-Protestant.

The school came to assume the banner of childhood socialization in an attempt to bring these target groups into the mainstream. To the reformer's way of thinking, the structure and values of poor immigrant families was lacking because the family seemed to have little concern for their children; in the reformer's mind the offspring soon would become a burden upon society. If the school was to eradicate this potential burden it would have to extend its web of control by taking over the role of the parent and becoming a surrogate parent. To most the school became an expeditious and effective tool to both control and rejuvenate the society.

Yet, traditionally the evolution of compulsory school attendance legislation has been viewed in tandem with child labor legislation. The fact that children were being exploited in mills and factories ostensibly explained the rise of compulsion as a device to protect the rights of children. While there is some truth in this explanation there are also some nagging questions which take away much from the explanatory power of compulsory attendance as a means of getting children out of shops and into the school. I want to deal with two of these issues.

First, the earliest compulsion laws were ineffective and for all intents and purposes existed only on paper. State Superintendent of New York, Andrew Draper said, "We have a compulsory education law on our statute books but it is a compulsory law which does not compel." One reason for the lack of enforcement had to do with the absence of an effective bureaucracy to enforce the laws, a situation which reflected not only the lack of strength of the laws themselves but more importantly the initial reservations by many to transcend too heavily on what was considered unsure ground--the legality of the state to require a family to send its children to school.

And why should the laws be enforced when schools were already deluged with students before the laws had been passed. Even as early as in the 1840's in Boston, the most evangelical campaign reforms to send children to school had succeeded too well as grammar schools had to refuse admittance to many students due to overcrowding. By 1886 in Chicago there were only one-third of the seats for the number of children legally obliged to attend; by 1881 in Philadelphia 20,000 children were turned away due to a shortage of seats. The fact is clear that schools were well attended and compulsory attendance laws did not seem

necessary to get most children into the schools even when they left the labor force. Most were there already.

Second, there is evidence to indicate that the proportion of children ages 10 to 15 employed in mining and industry had been declining rapidly from 1870 to 1900. Certainly much earlier than the Keating-Owen Act of 1916 which abolished child labor. In this respect compulsory attendance laws, as a device to get children out of plants and mines, seemed to lag behind the fact that children were already leaving.

Why then compulsion? It is my belief that the laws were not directed to all children but most specifically to deviant minorities who did not actively participate in the march to the public school. If the school was to become the surrogate of the family in instilling the proper mores into those more likely to disrupt the social fabric then that designated group had to be compelled to come under its influence. The xenophobia which was part of the nation during this period of time reflected the perceived end of an era. Change was catalysmic, almost out of hand; a direction that had to be arrested. But controls were more symbolic than actual, for control and the structuring of social change through requiring school attendance was hardly universally needed, enthusiastically accepted, or initially effective. People were literate before Common School days, did attend school in large numbers before compulsion, and therefore compulsory attendance laws were not needed to get all children into schools to learn. Compulsion did serve the purpose of symbolically reinforcing and indeed making explicit the values of the dominant culture, values of a one-time agrarian, rural, and relatively monolithic society deep in midst of transition to an industrialized, urban,

and increasingly pluralistic society. In speaking to an envisioned set of values represented by exposing all to a common socialization process, the issue of compulsion was addressed to the wider society which, while not specifically concerned about sc:)oling, was gripped with the fear that their dominant belief system was being threatened by outsiders. Compulsory attendance then served as a symbolic means through which appeals to a generally held end could be channeled. In electing compulsion however, alternatives, options, and variability in the education of the young was for all practical purposes, effectively usurped.