

FOUNDING OF COMPULSORY CIVIL EDUCATION ACCORDING TO THE EDUCATION ACTS FROM SECOND HALF OF THE 19TH CENTURY

MIRKO LUKAŠ, PH.D.

DEPARTMENT OF PEDAGOGY, FACULTY OF PHILOSOPHY, J. J.
STROSSMAYER UNIVERSITY OF OSIJEK

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ABSTRACT

Records of education in Croatia occur very soon after the settlement of Croats in this area. It is tied to 9th century and Duke Trpimir. Initial steps of education were not legally bounded nor the school was obligatory. In the second half of the 19th century, more precisely in 1871, with the First Education Act education becomes obligatory. Using the comparative analysis, the contents of the first three education acts from 1871, 1874 and 1888 will be explored as well as historical development and the legal foundations of obligatoriness of education. The paper compares the first pedagogical documentation i.e. education acts of obligatory civic schools in 18 differently grouped categories. After the analysis of the content of pedagogical documentation – original historical material, it is clear that three education acts regulated many pedagogical elements that enabled proper functioning of the first civic schools. In this legal acts schools and the teachers have become concern of the state and an important institution for further social progress and development. This paper provides an insight into the legal beginnings that have served for foundation and later on for contemporary development of education in Croatia and its development up to the present democratically structured schools.

KEY WORDS: 19TH CENTURY, OBLIGATORINESS OF EDUCATION,
PEDAGOGICAL STANDARDS, CIVIC SCHOOLS, LAWS.

1. INTRODUCTION

School system in Croatia existed even before law regulation, although the education was not compulsory. There are different sources when the institutional schooling in Croatia started. However, most of the authors tie the beginnings with the 9th century and the Dalmatian Duke Trpimir in whose donation from 852 is evident that one of the most educated people at that time lived at his house (Franković, 1958). Organised schooling is then related to King Tomislav and the conclusions from the Split assembly in 925, in which the parents are invited to send their children and servants to learn Latin if they want to be true Christians, pupils are invited to listen to their teachers, and teachers are invited to warn and supervise the children (Petz, 1942).

First schools were opened by churches and it was desirable in that time that each parish has its own school so elementary parish schools were opened. Cathedral schools that trained new priests and had higher status while the most numerous were monastery schools that raised young people in religious spirit and educated them for the purposes of state administration (Munjiza, 2009).

Continuation of church education can be observed during the 16th century when Jesuits establish their school system in the document *Ratio Studiorum*. In the document schools are divided into junior high and senior high schools, more precisely to Latin schools in the status of today's high school and colleges that bear the name academy and where philosophy and theology were taught.

With the development of trade and commerce and introduction of manufactural way of production the new urban class emerged that was responsible for opening different types of private and public schools. Public city schools can be traced back to the 10th century (Klaić, 1925), while it was recorded that one city school operated in Dubrovnik in 1333. (Adamović, 1885).

Wealthy families kept private form of education in a way that parents hired a private tutor to teach children to read and write.

In spite of opening the city schools, education was still not able to raise to the level of obligatoriness. Interest for organizing the entire education got stronger with strengthening of the state and expanding the state jurisdiction

(Munjiza, 2009).

The first serious attempts of governmental school organization in our region occurred during the reign of the Empress Maria Theresa (1740-1780). She encouraged opening of at least one school in each parish seat. According to her ideas Johann I. Felbiger assembled a reform for school and published it in General School Form in 1774. In that document he planned three types of schools: trivial, general and normal schools. There is a special teaching basis for each one of them (Cuvaj, 1910).

Elementary schools where basics of religious teaching, reading, writing and numeracy are learned and where one teacher and catechist worked were trivial schools opened in parish seats. General schools were opened in every county and employ three or four teachers and catechists. These schools had four grades, however the fourth grade could last for two years and had a role in professional training. Normal schools existed in the centre of every school commission. This reform accepted the possibility of home education and schools of repetition where the mastered material was repeated and related to practice.

Hungary did not accept well the proposed teaching basis so there was a new regulation Ratio Educationis in 1777 for Hungary, Croatia and Slavonia. The Hungarian Kingdom was then divided into literary counties (districts) with the provincial head director who monitored the education in the assigned area. Normal schools remained the same as they were according to the General School Form while the public schools were divided into city and country schools. All these schools were established and maintained by the state and they ceased to be duties of municipalities (Munjiza, 2009).

2. EDUCATION IN CROATIA DURING THE 19TH CENTURY

Croatia entered the 19th century with the possibility of opening public schools so every child would be closer to education. Although these were good ideas they could not be realised because the school was still not obligatory. Mass education was realised in the beginning of the 1830 with the introduction of the public elementary schools. Public schools held their classes in Croatian language in the duration of two years. Municipalities were in charge for their opening and they operated in almost every village. New joint administrative act for the school systems in Hungary and Croatia named

System Scholarum Elementarium (Initial Class System) was brought in 1845. According to this act primary schools are divided into junior (first two grades) and senior schools (third and fourth grade). Only the best pupils could pass into higher grades and enter literary or industrial third grade.

Female population still had to be educated in specially opened schools. This school system was in force until the introduction of the first education acts (Munjiza, 2009).

Reformatory movement encouraged implementation of standardized general education as a prerequisite of cultural and regional homogenisation through a unique national language. This idea came to life in practice in 1847 when the Croatian Parliament adopted a regulation of Croatian language as an official language of the state.

Although the development of the education was impeded with poor pedagogical standards, outdated methodical procedures, strict disciplining of pupils and many other factors it did not stop the continuation of national illumination on those foundations (Modrić-Blivajs, 2007).

At the beginning of the second half of the 19th century Croatia was under the rule of the Habsburg Monarchy, full of dissatisfied and depressed people. With dissolution of the Croatian Parliament and introduction of Bach's absolutism in 1850 came the first absolutistic measures. In high schools German became the official language while in civil schools Latin replaced Croatian language. General civil acts became the opposite of the previous legal standards in Croatia (Pavličević, 2000).

Bach's absolutism pressured social and political situation in Croatia which has been losing confidence in Vienna and thought of possible connections with the Hungarians who were considered as a better option. Croatia was subjected to an increasingly aggressive Hungarian nationalism and Austro – German imperialism, hoping to Monarchy still change its policy. The Croatian Parliament assembled again in 1861 and vainly sought for the unification of Croatian lands. It did not succeed, but on the other hand, with many of its administrative, academic and educational conclusions laid the foundations of modern Croatia. Actions of the Parliament resulted in the establishment of Yugoslav Academy of Science and Arts in Zagreb in 1866, the highest Croatian cultural institution. With division of the Monarchy in 1867 to Austria and Hungary, Croatia legally became part of Hungary what was authorized in 1868

with the Croatia – Hungarian arrangement. With this settlement Croatia kept its territory, administration in legislation, internal affairs, religion, education and jurisdiction. Croatian language became recognized as an official language in all public offices (post, rail, finances and forestry offices) and Croatian representatives could use it at a joint parliament in Hungary (Macan, 1999).

Introduction of Croatian language as the official language of civil schools marked the education of generations in national spirit, and thereby strengthening the national revival. With the aim of winning municipalities the Nationals (National Party members) launched a newspaper “Il Nazionale“ in Italian in 1862 with “Supplement to the National Journal“ written in Croatian.

End of the 19th century in Croatian premises was marked by the rule of Hungarian Governor Khuen Hedervary. His autocratic rule was not remembered for the good things but for trying to make Croatia a Hungarian province by force. During his reign emigration greatly increased which further weakened Croatian economic progress. His whole reign was marked by the opposition and resistance of Croatian parties to his imposed hungarization (Pavličević, 2000).

3. METHODOLOGY

This comparative study aims to analyze and interpret the establishment of obligatory education in Croatia through education acts from the second half of the 19th century using the historical – descriptive method. The method to be used in this paper is analysis of the pedagogical documentation. Pedagogical documentation that is being considered is a primary historical source brought by the authorities in the field of education.

The first three education acts were analyzed using the comparative study through 18 categories from which is possible to determine similarities and differences of content that legally found Croatian obligatory civil education.

With previously reviewed legal directives it was decided that the comparative analysis will be arranged according to the following categories: the structure of the law, school tasks, school division, school types, conditions for the establishment of schools, the layout of the school building, mandatory school subjects, language of the class, prescriber of the teaching basis, number of the teachers in school, school of repetition (tasks, duration), age of participants, duration of compulsory education, parental responsibility for education, entry conditions to the 1st grade, founders of the school, teachers' salaries,

who can be a teacher.

3.1. STUDY SAMPLE – ORIGINAL HISTORICAL MATERIAL

The First Croatian Education Act was passed during the time of Croatian territorial disunity, i.e. division into Civil Croatia, the Military Border, Slavonia, Istria and Dalmatia ruled by Austro-Hungarians. In 1867 Austro – Hungarian arrangement divided Croatia into two major groups where the Dalmatia and Istria belonged to Austria, and Croatia and Slavonia to Hungary (Balta, 2006). At that time the First Croatian Education Act was brought and named The collection of laws and orders for the Military Border with the subtitle Regulation of the class in civil classrooms of the Military Border, printed in Buda in 1871.

The Second Croatian Education Act was passed in 1874 and it was called The act of organization of civil and teacher schools for civil teachers in the Monarchy of Croatia and Slavonia. This law was adopted on the proposal of Count Petar Pejačević and Ivan Mažuranić and confirmed by Emperor Franz Joseph I.

After the union of the Military Border with Croatia in 1881, there was a need for creating a unique legal act. Discussions on the future education act lasted till 1888, when the Emperor Franz Joseph I confirmed the Act of the organisation of civil class and education of civil teachers in the Kingdoms of Croatia and Slavonia (Cuvaj, 1911).

4. COMPARISON OF THE FIRST THREE CROATIAN EDUCATION ACTS

Comparison of the first three Croatian education acts leads to the conclusion that the acts vary by the category – the structure of the law, according to which the First Croatian Education Act consists of 9 units and 86 paragraphs, the Second Act consists of 9 chapters and 195 paragraphs, and the Third Act is structured within 10 chapters and 215 paragraphs.

According to the analyzed category – role of the school as an institution, the role is the same in all three acts: “Task of the civil education is to morally and religiously raise children, to develop their intellect, to teach them knowledge and skills necessary for life and to be the basis for raising honorable people and members of the society“ (1871, par. 1).

In the category – school division, acts differ in a way that the First Education Act divides schools to general civil schools and senior civil schools. General civic schools and schools of repetition were merged and in some places vocational training also. With the Third Act schools were divided into junior and senior civil school.

In the category – school types, all three acts distinguish two types of civil schools, public and private schools. Public schools are opened and supported by the state or municipality and are attended by the children regardless of their religion, while private schools are usually opened by the members of certain religion.

Category - conditions for the establishment of schools, is identical in all three mentioned acts which determine that the general civil school is obligatory where there are at least forty pupils and where the school is no more than four kilometers from the place where the child resides.

In the category - layout of the school building, acts determine that “Buildings of civil schools have to be in certain places, they have to be dry, bright and with enough fresh air, and must have enough space for the youth.” (1888, par. 10).

The act recommends that school buildings should be built in the centre of the school district. Broadness and number of classrooms should match the number of pupils and teachers. Classrooms should be equipped with desks and chairs: “School desks should be arranged in a way to allow proper, healthy and safe posture, age and size of the children should be taken into account... desks need to be put in a way that the light falls from the left or back side...” (1874, par. 17), blackboard, school wardrobe, chair for the teacher and most necessary means for teaching. “In every general civil school for practical training of pupils in economy there should be school garden, playground and a fountain for drinking and teachers’ domestic use.” (1888, par. 14).

In the category - mandatory school subjects, according to the Act from 1871 in general civil schools mandatory school subjects are as follows: doctrine of faith and moral, language, numeracy, natural history and science, geography and national history, writing, art, singing, exercising and farming economy for the boys and needlework and household for girls.

School subjects in senior civil schools are next: doctrine of faith and moral, language and literacy, geography and history, natural history, science, numeracy,

sketching, accounting, freeform writing, calligraphy, singing and exercising and German or Hungarian language.

Under the Act from 1874 in general civil school mandatory school subjects were as follows: doctrine of faith, native language (reading, writing, grammar, rhetorics and written expression of thought), numeracy, geography, history, physics and natural history (based on the reader), calligraphy, geometrical drawing, singing, gymnastics, practical training in economy, needlework and householding.

In civic school subjects for male population were next: doctrine of faith, Croatian language, German or Italian language at the coastal areas, geography and history, natural history nad science, numeracy, geometry and geometrical drawing, economy and crafts, freeform writing, calligraphy and gymnastics. In women's civic school subjects were the same as men's only instead of economy and crafts they had householding and needlework.

Act of 1888 specified the following subjects in the junior civic school: doctrine of faith, native language, numeracy and geometrical drawing, most important of geography, history, physics and natural history based on readers, calligraphy, drawing, secular and church singing, gymnastics, practical training in economy and needlework for female population.

School subjects in men's senior civic school are: a) general subjects: doctrine of faith, Croatian or Serbian language, German or Italian, geography or history, calligraphy, gymnastics and singing; and b) vocational courses: school of economy: natural history, agricultural numeracy and science, numeracy and accounting, geometry and geometrical drawing with construction business and practical geodetic measurement, business and commercial technologies, freeform writing, interpretation of the most important laws and economic activities. In crafts school: natural history and natural objects usable in crafts, science with particular regard to mechanics and mechanical technology, numeracy and crafts accounting, geometry and geometrical drawing, popular national economy, professional drawing and modeling, interpretation of the most important laws and school workshop. Commercial orientation: natural history regarding to merchandise understanding, science and technology of chemistry, commercial numeracy with simple accounting, freeform writing, interpretation of the most important laws, commercial technology and working with people.

Comparing the first three education acts from the 19th century in relation to compulsory education that is conducted according to the studied category – language of the class, regulations of the act are following: “The language of the class is mother tongue“ (1871, par. 26). “The language of the class in civic schools is Croatian or Serbian. In public civic schools that are raised and sustained by municipalites with other spoken languages, language of the class is mother tongue. In such schools besides mother tongue compulsory subject is Croatian or Serbian language.“ (1888, par. 4).

Acts regulate the category - prescriber of the teaching basis. According to the First Act that regulates compulsory education in the Military Border with paragraph 24 the basis for civic schools are “determined by main headquarters in Zagreb for Croatian Slavonian Border, and Hungarian Ministry of Worship for Banovina“. Same institutions define or as the act more precisely prescribes, that institutions publish basis for the doctrine of faith on the proposals of local church domains. Second Education Act regulates this issue in paragraph 12, and the Third Education Act in paragraph 6 in which “government prescribes teaching basis and school textbooks for all civic schools“.

All three acts regulate in the same way the category – number of the teachers in school, which is defined by number of pupils. Most often this regulation consists of assumption that if three years in a row number of pupils in one school is around 80 then it is possible to hire another teacher, if the number of pupils during the years increases to 160 another teacher can be hired, and when a maximum number of 240 pupils is reached, three or four teachers besides principal are provided for their education.

Act of 1874 and paragraph 22 made possible hiring female teachers in 1st and 2nd grade in schools for both boys and girls according to the same criteria of the number of participants that was valid for male schools. These provisions were also adopted in the Third Education Act from 1888.

Category – schools of repetition (task, duration). First Education Act regulated them to last for one year, two hours every Sunday and every holiday. The most common school subjects in these schools were reading, writing, numeracy and farming. In the cities, it was recommended to open two year schools of repetition with the following subjects: doctrine of faith, language education, numeracy, geography, history, nature and science subjects, drawing, singing and exercise.

Schools of repetition were merged with civic schools in the two next acts, they lasted two to three years and they were obligatory for all children who had previously completed junior civic school. Teachers of civic schools had to teach for free in schools of repetition. The class was held twice a week for two hours. Obligatoriness of attending the schools of repetition were prescribed by general school boards, and school subjects by the government.

Schools of repetition were not for the pupils that enrolled in senior colleges or any other vocational training if the pupils finished it with good success. Pupils that attended industrial or craft workshop were obligated to attend schools of repetition for which their employers had to provide time.

Category – age of participants in First Education Act is prescribed by paragraph 44 where the sixth year is specified as obligatory for entering the civic school for “children of both sexes“ and for those who lived near school. Parents could send to school all seven year old children that were four kilometers away from school or came from neighbouring places.

This directive was regulated with the same paragraph in the Second Education Act and in the Third it was done in paragraph 46 which is identical to the previous acts and says: “The ability to attend school starts with the age of six; obligatoriness for attending the school begins with the age of seven.“

Category – duration of compulsory education, is regulated with the First Act in paragraph 22 that states: “General civic schools last for six years“. The Second Education Act in the paragraph 18 states that general civic school had 4 grades, but the paragraph 45 prescribes obligatoriness for school in the length of five years, schools of repetition are not included. In the Third Education Act obligatoriness of school is implied and in paragraph 16 it is prescribed that junior civic schools have 4 grades which determines the obligatoriness.

Category – parental responsibility, for the education of the child, is regulated with education acts in a way that the First Education Act describes parental duty and responsibility in several paragraphs. Paragraph 4 states: “Parents or their guardians have a duty to enable their children or ward education prescribed for civic schools.“ In paragraph 47 owners of workshops and factories where children were helpers and prepared for various crafts are joined with the parents. This regulation defines the possibility of cash fines – i.e. penalties if they prevent pupils from going to school. In paragraph

58 parents are obligated to acquire school textbooks and necessary supplies, and in a case of neglecting parents will be reported to the government of the county "that will acquire the necessary materials and charge the fee". The regulations provided free education for poor children at the expense of municipality.

The next two compared acts have unmistakable paragraphs about parental responsibility for regular school attendance of their children. Parents or their guardians must take their children or wards to general civic schools. Parents who disobeyed this act would be warned by the relevant municipal authorities, and then fined if they continued in their irresponsible actions until they lose their right of parenthood and then the state would determine a new guardian for the child.

Teachers were obligated to send a report to school board every fourteen days, so called absence of regularity of attendance of the pupils so the government could take measures of punishing the parents who avoided their commitment of regular sending of their children to school.

Entry conditions to the 1st grade of civic school are part of – the category of comparative analysis of observed legal regulations. Children were capable for entering the school in the age of six and with that claim all three analyzed education acts are consented. Before the start of the school year, the local school council had a duty to list all children that were obligated to go to civic school without distinction of religion and regional origin. Children in the cities were mandatory to daily attend classes while the children from villages or places where there was no school could be exempted of the first two grades of the civic school. According to the First Education Act school was not mandatory for temporarily or permanently mentally or physically challenged children and for the children whose parents had the opportunity to organise private or home education.

The Second and the Third Education Act regulated entry conditions for the civic school in the same way. Thus the Second Act in the paragraph 46 defines that is necessary for at least a month before the start of the school year to make an inventory of all children within the school district that are obligated to attend school. These lists were made by special municipal commission specially designated for that function. In this regulation in paragraph 47 physically weak and mentally immature children were not obligated to attend school for a shorter or longer period. Same formulations has the Third

Education Act but in the paragraphs 29 and 30.

The – founders of the school category was regulated according to the legislation. Analyzing whose task is to establish and maintain school the First Education Act in paragraph 3 states that “Every civic school, for whose establishment and support completely or partially the Military Border or local municipality is responsible, is public and as such accessible to youth regardless of denomination“. District authorities had to watch over the implementation of these legal provisions as well as opening the schools where it was necessary. In the places where schools were opened it was necessary to take care of material possibilities for their successful operating. In order to control civic schools from the local level, school districts were founded that had competent committee at local school district level and at the level of religious districts.

In the Second Education Act in the paragraph 3 civic schools were public, i.e. those that were completely or partially supported on the expense of the state or political municipality, while the private schools were those that were built and supported on the expense of different confessions. Each municipality was obligated to open civic school on its own expense, if the municipality was territorially larger it could open more civic schools. This way the so called school districts were created and supported on its own expense. This law also mentions the possibility of opening schools whose founders were various private persons and corporations. This privilege was also enabled for various foundations and school foundations whose purpose in the beginning was only to help children with their education and their money could not be used for any other purposes. To municipalities that were not able to settle all the expenses made by civic school, help was guaranteed from the state fund.

Third Education Act states in paragraph 31 that the funds that were used for settling the needs of general civic school, teachers' wages and other needs and these were, according to the mentioned Act, yearly budgets of municipalities, the dues of private persons, corporations, income from foundations and school funds, income from renting school buildings and school land, rebates from obtained school books etc.

Category – teachers' salaries, was in the First Education Act solved by collecting surtax from 10 percent of direct military tax and if that was not possible from the above mentioned funds collected for the needs of education. But even if these resources were not sufficient then it was covered from the state budget and the expenses would be settled from the budget of the Border and the

state. The Second Education Act more clearly and precisely defined teachers' salaries in paragraphs 125 to 132. It is defined that teachers receive salary in advance every month from the cash office of the municipality or state. Salaries were divided into four pay scales that are administratively determined. Minimum salary of the fourth grade was 350 forints a year, class three was 400 forints, class two was 600 forints and salaries of the first grade were 700 forints a year. Teachers of civic schools had a minimum wage of 700 forints a year without distinction to the above pay scales. Female teachers had equal rights.

Category – who can be a teacher was not found or described in the First Education Act. The Second Education Act devotes the entire chapter to description and law regulations for teachers in civic schools. Teachers of public civic schools were declared as public officials. Only the person who gained a teacher certificate and was not legally punished and was morally acceptable could be set for a teacher. In civic schools a teacher could become a person with distinguished knowledge in particular profession if that profession was one of the school subjects, with an obligation to subsequently qualify for a teacher. School superintendant had a function to coordinate temporary teachers (probationary teachers), to transfer and release them, while the government determined and defined permanent teachers through the public applications and on the proposal of county school superintendant.

Against the teacher who did not perform his task scientifically and morally, as well as for those who had not under the oath of duty diligently fulfilled their commitments, a disciplinary proceeding could be initiated. Teacher could be penalized by a warning, reprimand, fines, by denying of bonuses for rank, removal from the function, transferring from the local community or dismissing from the service. Dismissal from the service was for teachers who physically afflicted the child or otherwise harmed its health, if he made a severe violations of moral and denomination, word or deed, and thus offended children, immorally seduced or attempted to seduce.

If it was proven that the teacher was wrongly accused he must had been compensated for the portion of income he was denied for. It was prescribed by law that no teacher could work more than 30 hours a week.

Third Education Act had the mentioned regulations with an additon that a teacher in civic school could only be a person who was Croatian-Hungarian citizen. Foreign teachers could work in the service if they had passed the

exam of Croatian or Serbian language.

5. CONCLUSION

With comparative analysis of historical pedagogical documentation from the second half of the 19th century we have come to relevant knowledge of the beginnings of obligatory education in Croatia based on and accompanied with law regulations.

Historical analysis discovers content and structure of first education acts in which we learn that the First Education Act from 1871 is a solid foundation for all acts in the field of education that have been issued in our region until today. These acts contain permanent categories that are being regulated by today's rules but from the point and in the spirit of the time in which they are being issued.

According to the structure the First Act had less articles and of 18 observed categories it did not regulate only the category who can be a teacher in civil school. In the process of further comparison conclusions are made that all three laws are almost the same and regulate in a same or similar way other 17 observed categories: the task of the school, school division, the types of the schools that have been newly named but all of their activities are covered in the regulations and regulated, terms for establishing the schools, layout of the school, compulsory subjects in certain schools, language of the class, teaching basis, number of the teachers, schools of repetition and their function, age of the pupils, duration of the school, parents and their role in education of their children, admission requirements for the first grade, who can establish a school and teacher activities.

With the increase of the law structure and clearer legislative directives, activities and role of the school reinforces and enriches Croatian identity. We conclude that the approach to obligatory education became more serious and it has been given the necessary social attention. Compared categories served for noticing the quality in legislative approach to questions of education, social role of education and demands that the society placed before founders of the schools, pupils, parents and teachers as educators. Progress of Croatian economy and political life influenced the educational system by incorporating the new school subjects in the initial training, and all of that gives us a clearer image of the situation in our society as well as economical and political, territorial, religious and other structures of Croatian society.

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