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ADDRESS
OF
DEMOCRATIC BENNETT LAW
LEAGUE.

Box 458, Milwaukee, Wis.

TO OUR FELLOW DEMOCRATS.

There are times when blind allegiance to party leaders becomes treason to party, to the state, to reason and to conscience. We believe that the Democrats of Wisconsin are now confronted by such a crisis; that the political conditions of the state campaign are such as to impose upon them the grave necessity of choosing between submission to the unwarrantable dictation of leaders and their duty to the party, the state and themselves. To ascertain if this be true, let us examine the situation.

THE BENNETT LAW.

In 1889 the legislature of this state enacted a statute (ch. 519, Laws 1889,) commonly known as the Bennett law, a law which has been widely discussed and grossly misrepresented, but which comparatively few persons have read. Omitting that portion of it relative to child-labor in factories etc., as to the wisdom of which there is no dispute, its provisions are briefly as follows:

1. That all children between the ages of seven and fourteen years must (except as hereinafter provided), be sent to school for a certain number of weeks in each year, the number to be fixed by the school board, and to be not less than twelve nor more than twenty-four weeks.

2. That no school shall be deemed one within the meaning of the law unless reading, writing, arithmetic and United States history be taught therein in the English language.

3. That those who wilfully and persistently disobey the law may be prosecuted, but only by authority of the school board, before a justice of the peace, and shall, if convicted, pay certain forfeitures or penalties for the benefit of the school fund.

4. That any child shall be excused from the attendance at school required by the law, upon its being shown to the satisfaction of the school board; *a.* that the parent or guardian is not able to send such child to school; *b.* that instruction has otherwise been given for a like period of time to such child in the elementary branches commonly taught in the public schools; *c.* that such child has already acquired such elementary branches; or, *d.* that the physical or mental condition of such child is such as to render its attendance inexpedient or impracticable.

5. That any child between the ages of nine and fourteen years, who, "without the leave and against the will of his parent, guardian, etc., habitually absents himself from the school to which he is sent," etc., may be arrested and dealt with as a truant child.

The above is a fair statement of all the essential features of the law; if any question or doubt its correctness, we beg them not to accept the bald statements of the law's opponents, but to carefully read the law itself.

We believe the true grounds of their denunciation of this law have never been stated by its opponents; that they dare not make public the real motive and animus of their opposition. But chief among their ostensible objections are the following:

OBJECTIONS URGED AGAINST THE LAW.

1. That it compels parents, etc., to send their children to a school within the district in which they reside.

2. That it is an attack upon or an unwarrantable interference with parochial schools.
3. That it denies to those prosecuted for its violation, the right of trial by jury.
4. That it is unconstitutional.
5. That it is "paternal."

ANSWERS TO THE OBJECTIONS.

These objections can only be urged either by those who have not read and do not understand the law, or by those who are interested in wilfully misrepresenting it. We will consider them separately.

1. It is true that the first section provides that the parent, etc., shall cause his child to attend a school in the district in which he resides, but this objection is wholly removed by the next section, which, as above shown, exempts from such attendance any child to whom "instruction has *otherwise* been given for a like period of time in the elementary branches commonly taught in the public schools," leaving the parent absolutely at liberty to send his child to school wherever he pleases, or have him educated at home if he prefers, provided he in any manner causes such child to receive, at any school or place, the required amount of instruction, part of which shall be given in the English language.

2. The pretence that the law attacks or interferes with parochial schools has its origin either in ignorance or in dishonest intent to misstate the facts.

The only shadow of a foundation for any such claim is that the law requires that children be taught certain elementary studies in English, and that there are parochial schools where that language is an unknown tongue. There are many who believe that English should be taught in every school in the United States, but this law does not go so far as to apply that rule to the State of Wisconsin. Large sums are annually paid out of the school fund for

teaching German in the public schools, and it might not seem altogether unreasonable to ask the parochial schools, to teach a little English, but this is not done, the state having wisely refrained from making any demand which might be construed as in any manner interfering with private schools. Under this law, if a parent chooses to send his child to a parochial school, and the church sees fit to have all the instruction in such school imparted in a foreign tongue, so be it, only, in that case let the parent see to it that his child, growing up as a citizen of an English-speaking state, shall receive, in some other school or at home, the requisite amount of instruction in English, and he will have complied with the law. It is at once absurd and monstrous to accuse the state of unlawful usurpation of power because, for its own self-protection and to secure the proper equipment of its children for the duties of citizenship, it demands that such children be taught to speak, read and write the legal language of the state. It is hard to believe that any American citizen, whether of native or foreign birth, can honestly and seriously object to a requirement so manifestly for the best interests of both the child and the state.

3. The statement, originated by the German Republican Lutherans and shamelessly reiterated in the Democratic state platform as a bid for their votes, that this law denies to those prosecuted for its violation the right of trial by jury is absolutely untrue, and can only be made with dishonest intent to deceive those who have not read the law. The procedure under the law is this: Suits to enforce the penalties imposed by the law can be instituted only by authority of the school board, men elected by the people of the district (except in some cities where school commissioners are elected by the Common Council) the person charged with violating the law is given five days' notice of his default before suit is begun, and if, upon the hearing of any such prosecution, it shall appear to the satisfaction of the court (not the school board) that be-

fore or after the receipt of such notice, such person has caused his child to attend the school as provided in the law, in good faith and with intent to continue such attendance, then the penalty shall not be incurred. But if no such showing is made, the prosecution proceeds, before the justice, and the defendant, as in all cases before a justice, MAY DEMAND AND HAVE A JURY.

4. The charge of unconstitutionality is, presumably, based upon the alleged denial of trial by jury, and falls to the ground with the disproof of that charge.

5. The cry of "paternalism" is noisy, shallow, clap-trap, designed only to deceive the unthinking. Is this objection sincere? The same platform which denounces this law as "paternal" contains a declaration in favor of laws prohibiting child labor in factories, etc., and in favor of compulsory education—though not in the English language. A parent in the full exercise of his natural paternal rights, unabridged by humane and necessary legislative restrictions, has the right to permit, or even to compel his child to work in a factory, and to bring him up wholly without education of any kind or degree, and a law which, for the good of the child and the protection of the state, deprives him of those natural rights is fully as open to the charge of "paternalism" as a law which goes one step farther and provides not only that he shall keep his young children out of factories and send them to school, but that he must also see to it that they are taught the language of the state of which they are to be citizens. No law is "paternal" in any objectionable sense which does not transcend the bounds of the legislature's legitimate power.

If the German Republican Lutherans and their allies the makers of the Democratic platform are sincere in their approval of the compulsory education statute in force prior to the passage of the Bennett law, is it not a fair and logical inference that their loud and vehement opposition to this law is due to the fact that it requires certain branches to be

taught in English? If they are not the enemies of English education, what is their true motive and object in demanding that the Bennett law be repealed, all their ostensible objections to it having been proved to be groundless?

CHURCH-STATE POLITICS.

Since the enactment of this law churches have, for the first time in the history of the state, entered the political arena as churches; the German Republican Lutheran Church has held caucuses to devise means of effecting the repeal of the law; it openly threatened the Republican party with the loss of its influence and the weight of its wrath if the principles of that law were not abandoned; it has resorted to all known political methods to accomplish its purpose; it has entered into an unholy alliance with the Democratic leaders to deliver the German Republican Lutheran vote to the Democratic party, for this election only, receiving as a consideration therefor a pledge that the Bennett law shall be repealed, and a goodly share of the offices. This church, entering the field as a thoroughly organized and equipped political power, has demanded and is demanding that the state stultify itself and betray its trust by basely conceding that it has neither the right nor the power to demand that its children and future citizens receive a certain limited amount of instruction, in branches purely secular, in the legal language of this country.

This attempt on the part of a church, by the manipulation of party politics aided by church-caucuses, to compel the state to submit to ecclesiastical dictation in matters relating only to secular education, raises an issue of the greatest importance, fraught with grave suggestions of future danger, and its evil results, if the enemies of English education and state supremacy in secular affairs are allowed to triumph at the polls, are incalculable. There is no religious question at issue, no right of the church at stake, to justify this church

interference. The parochial schools may give their religious instruction in German, may give *all* their instruction in German, without violating any requirement of the Bennett law. That law does not attempt to dictate to the parent where he shall educate his child, it only says to him you must give your child some education and as a part of that education you must cause him to be taught English. Nor is there here any legitimate question of encroachment on parental rights. The state has not invaded the domain of religious belief or of parental authority. The warfare is made from the other side. The German Republican Lutheran church is the aggressor, demanding that the state surrender one of its undoubted prerogatives; that it make a cowardly and dishonest disclaimer of a right and duty which all free states possess and exercise. It is not the state attempting to abridge the liberties of its citizens, but the churches endeavoring to encroach on the functions and power of the state, and the issue thus forced upon the people by the arrogance of the German Lutheran Republicans is by far the gravest and most vital question involved in the state campaign. We have confined our remarks largely to the German Lutheran Church, but we resent ecclesiastic interference in state affairs by any church, as dangerous to the liberties of the people, un-American and un-Democratic.

DEMOCRATIC PLATFORM.

Unwise or unfaithful leaders of the great and honorable Democratic party have, by the platform framed by them and adopted by the recent state convention, pledged that party to the championship of the alleged grievances of the German Republican Lutherans and their church; to the cause of church against state on the question of secular education; to the approval of this most unwise, unholy and undemocratic amalgamation of church and state; to the surrender by the state, under threat of the ecclesiastical lash, of its undoubted

right to demand the education of its children in the legal language of the state; to the *unconditional* repeal of the Bennett law. The attitude into which the party is thus sought to be forced is essentially un-American, unpatriotic and un-democratic, and is hostile to the best interests of the state and of every child within its borders.

And all this shame has been brought upon the party merely to gain, for this one election, the votes of those who boast that they are not and will not become Democrats, but will return to the Republican party as soon as, (having used the Democratic party as their tool for that purpose), they shall have brought it to its knees. Such a course is not only immoral and unprincipled, but, like all immorality, it is a stupid blunder as well.

THE DUTY OF DEMOCRATS.

The question now confronting us is shall we, as Democrats, give our sanction to such a base prostitution of the party we love and revere. Shall we, as Democrats, permit, even by inaction, the triumph of such a shameful sacrifice of principle and of the faith and honorable traditions of our party, for the pitiful purpose of securing the brief and discreditable support of the German Republican Lutherans. It is time that such unclean and blundering leadership should be rebuked.

More inactive disapproval can accomplish nothing. The only way to free the party from the domination of those who sacrifice all principle, all patriotism and all democracy to a vicious determination to gain votes at any cost, is to vote against the state ticket nominated on and pledged to that shameful platform. The election of that ticket will not be a democratic victory; it will mean the degradation of the Democratic party and the triumph of the German Republican Lutherans. Defeat now will strengthen and purify the party, not weaken it, it will cleanse it from the stain placed upon it by unscrupulous "bosses."

We who thus address you are Democrats, strong in love of the Democratic party, in reverence for its historic grandeur, and in faith in its present integrity and patriotism and its future triumph. We are not trying to organize a new party; we are seeking no personal political advancement, nor are we becoming Republicans. We are neither leaving nor asking others to leave the Democratic party; we propose to vote for Democratic congressmen and county officers. The state ticket only is pledged to the anti-English-teaching, church-state plank of the platform, and the defeat of that ticket will vindicate the integrity of Democrats on those questions. We are making no fight against the party, but are fighting for it, and against the leaders who have betrayed it. On all national issues we are in accord with the party, and believe the best interests of the country demand its success on those issues. But in our judgment the church-state question is the one issue of the campaign so far as the state ticket is concerned. We believe, and we think a large proportion of the party throughout the state believes that Democrats owe it to themselves, to the party, to the state and to every child within the state to aid, as Democrats and because they are Democrats, in crushing out all attempts at ecclesiastical assumption of secular power; to assert and maintain the absolute right of the state to insist that its children shall receive a certain amount of education in the English language; to rebuke the faithless leaders who have bartered principle, patriotism and the party's fair name for Republican votes; to vindicate the well-earned reputation of the Democratic party as a party of principle and patriotism, and not of truckling expediency and trickery, and to take a broad, enlightened, American and patriotic stand in the great questions of the education of our future citizens and state supremacy in secular affairs. The only way to do these things is to vote against the candidates for state offices who are pledged by the platform on which they stand and by their public utterances to

the repeal of the Bennett law and the upholding of all the heresies involved in that issue.

To those Democrats who are in sympathy with us on these great and vital questions we suggest the necessity for vigorous action. Organize local Democratic Bennett law clubs; urge upon your Democratic friends and neighbors the necessity of defeating the state platform and ticket, to cleanse and purify the party and strengthen it for future victories. Do not fear the name of "bolter;" he who repudiates a vicious platform and the candidates pledged to its iniquities, is doing the most dutiful service possible to his party as well as to the state.

We shall be glad to have all Democrats who desire to aid in this work send us their names and addresses, and to receive suggestions from them as to how Democrats may best contribute to the triumph of the Bennett law and the cause of English education.

Respectfully,

WISCONSIN DEMOCRATIC BENNETT LAW LEAGUE,

P. O. Box 458, Milwaukee, Wis.

Dated Sept. 19, 1890.