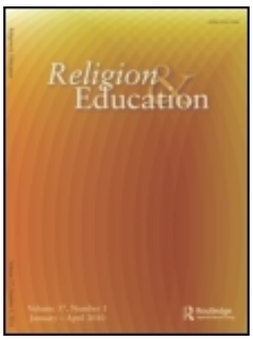

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Introduction: The Event

In the spring of 1986, thousands of parents and their children met at the University of Texas, Austin, to protest attempts by the Texas Education Agency (TEA) to regulate private and home-based education. "Challenged to make a stand," former State Board of Education member Reginald McDaniel encouraged parents to "resist rigorously the encroachment of government into private affairs."[1] To the surprise of the TEA, a large cohort of religious conservative and historically-minded home schoolers, holding signs reading "Remember Boston? Dump T.E.A," launched a formidable political offensive against what they saw as the threat of state interference. The "Austin TEA Party," as grass-roots religious parents called it, was the midpoint of a cultural controversy surrounding education reform that took more than a decade to resolve. Looking at the nation as a whole, scholars roughly identify the decade of the 1970s as the beginning of the home school movement; 1986 was a watershed year, for the majority of states granted legal protection for families who educated at home. Texas became one of the last.

Considering the activism in the lone star state, this paper analyzes the key to the home-school movement's success: shared ideological commitments and the means by which religiously motivated parents swiftly mobilized a large body for political action. Part one considers the distinctiveness of the movement as a subcategory of conservative American movements in general (i.e., its defensive rather than offensive nature) and challenges what many critics label a "paranoid" response to "status anxiety." The next two sections examine the key tenets of the movement: home schoolers' worldview, social makeup, and the tactics employed for political mobilization. Unsolicited government infringement in the private sphere portended the demise of the family's liberty. The parents' goal was to protect the "traditional" family unit against the corrosive effects of secularism represented by the actions of the state. "The state wants control of our children," said Steve Riddell, a home school parent and evangelical minister who attended the TEA party, "and we find it very difficult to stand idly by and let this hap-

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pen."[2] The concluding section highlights the legal victories that have allowed domestic education to flourish.

The Three R's: Religion's Reasonable Role

Patricia Lines, analyst for the Department of Education, admitted in an early 1990's publication that home schooling is one of the most rapidly growing phases in the history of American education.[3] Much of her data was taken from the mid-eighties, and, although numbers vary, Lines estimated that one million American children were home schooled in the early 1990s. That number was up from an estimated 300,000 in the late 1980s and from 15,000 in the early 1970s. Despite low numbers, it is clear that the popularity of home schooling is steadily rising.

The information offered by the Department of Education reveals the main participants of the movement. According to Lines, "The largest growth in home schooling appears to be among devout Christian parents who are unhappy with the secular nature of the other schools."[4] A 1997 study showed that 85% of those who choose domestic education do so based on staunchly religious grounds.[5] Furthermore, of the roughly 26 confessing Protestant sects in America, 42% of families who home school are from fundamentalist-evangelical and Baptist denominations. Even today, that percentage has remained constant.[6] Thus, given the fact that the movement is largely made up of Baptist and evangelical fundamentalists, one must consider the way in which religious beliefs incite social activism.[7]

Yet because of their political and religious allegiances, home educators are often characterized as political reactionaries anxious to maintain their cultural status in society. Since the fifties, sociologists, political scientists, historians, and religious scholars have tried to account for the episodic outbursts from the radical (often extreme) conservative camp—a camp that includes fundamentalists.[8] The prevailing assumption since the fifties is that fear of secular humanism and its various subchapters—evolution, communism, and feminism, to name a few—incited status anxiety among both New Right conservatives and New Christian Right fundamentalists in the 1950s-1980s.

Analyzing from a Weberean perspective the rise of the New Right during the McCarthy era, Richard Hofstadter, Daniel Bell, and Seymour Lipset borrowed from socio-psychological terminology and suggested that what characterized radical conservatism was a sense of "persecution" that heightened a "paranoid style" in maintaining social status and recognition. With the threat of communism and the emergence of leftist influence, the conservative's world was on the verge of collapse; rapid mobilization to

maintain it was necessary. Stated simply, a loss (or potential loss) of status (i.e., political, cultural, and social recognition or privilege) engenders activism, which often appears to be fed by psychological angst or personality disorders rather than rational decision making.[9] This is distinguished from class anxiety, which is engendered by economic depression. Indeed, Talcott Parsons concurred with this understanding in his 1969 *Politics and Social Structure:* "It is a generalization well established in social science that neither individuals nor societies can undergo major structural changes without the likelihood of producing a considerable element of 'irrational' behavior."[10] Indeed, in hindsight, it seems that fundamentalist conservatives are "irrational actors expressing their status anxieties."[11]

Contemporary scholarship, however, has challenged the status anxiety hypothesis. The argument that the conservative right emerged as a result of psychological and social distress has, according to Lisa McGirr, "distorted our understanding of American conservatism."[12] Focusing on the socioeconomic conditions that allowed the Right to emerge in the Cold War period, and detailing the various phases, McGirr "traces the transformation of the modern American Right from a marginal force tagged as 'extremist' in the early 1960s into the mainstream of national life by the decade's end."[13] Looking specifically at southern California, the Mecca of national conservatism, McGirr underscores the Right's skill at quick mobilization and political persuasion on a mass scale. Accordingly, the Right was systematically organized, rational, and indomitably affective.

In his trenchant argument offered in *The Rise and Fall of the New Christian Right,* sociologist Steven Bruce—delineating the advent and subsequent collapse of New Christian Right activists Jerry Falwell, Pat Robertson, and Phyllis Schlafly, to name a few, and the issues they were involved in—believes that scholars must abandon assumptions regarding rational or irrational mentalities of radical groups and instead should examine all social movements in the same light. He writes:

> [The] interpretive sociologist doubts the explanatory value of asserting that any one particular view of the 'facts of the situation' has such obvious validity that alternative views can be dismissed as the product of unusual, hysterical, and irrational interpretative procedures. To say this is not to endorse extremist world-views. It is simply to say that the explanation of why people believe something cannot be bound to the truth or falsity of the belief in question. There may actually be a God. There may actually be some divine providence which makes sense of the apparent anarchy

> which surrounds us. There is nothing which the social scientist knows which gives him or her an insight into such questions any greater than that possessed by the average Klansman or John Bircher. Hence no system of social scientific explanation can be based on a distinction between true and false belief.[14]

Clearly, Bruce contends with the notion that conservative fundamentalism was underscored by irrational motives. First, in the academic world no agreed upon criteria for what constitutes a true or false belief vis-à-vis political ideas exist.[15] Second, the historian's gift of hindsight, in fact, undermines suppositions of irrational psychoses; that is, scholars take for granted the fact that activists like McCarthy and Robert Welch failed to provide palpable evidence that their claims—namely, that communists were in fact destroying America's cherished institutions—were in fact true. It is only after the fact that scholars say that such actions were irrational.

Studies of the political activism of home school families have also rejected the "paranoid" hypothesis. Contemporary researchers and policy analysts "interpret the dynamics of the home education arena and trace home education's growth as a rational legitimate educational choice by increasingly large numbers of families."[16] Maralee Mayberry, writing for the journal of *Education and Urban Society,* affirms the rational order of home school families: "[Home schoolers] are not irrational individuals responding to economic or status deprivation, but rather, are individuals attempting to sustain a way of life that protects and revitalizes a stable set of meanings."[17]

Was there palpable evidence that the state, acting in concert with public schools according to Texas Representative Randy Pennington, wanted "to control children, and ultimately the world"?[18] Was the Texas Education Agency acting with ulterior motives to subvert the authority of parents, or worse, to take the children away from the parents? Based on the evidence examined for this paper, one would have to answer these questions in the negative. The same questions could be asked of the state agencies prosecuting home-school families. As most studies show, school superintendents falsely assume that parents with no state credentials are not only impeding the educational maturity of their children, but are also stunting their social maturation, an opinion not supported by evidence. Instead, many who have examined this issue argue that home school families are more socially active than public school families.[19] Are we to assume that superintendents who go after home schooling parents (even prosecute them) are anxious to maintain their social status? These questions too can be answered in the negative.

Why, then, have state agencies prosecuted home schooling families? In an article written for the *American School Board Journal* entitled "Read This Before You Veto Home-Education," M. Ritter offers a simple answer: "The increase in litigation can be attributed, in part, to the distress administrators felt when suddenly confronted [beginning in the 1970s] with multiple cases of parents who thought they could educate children better than public schools."[20] Are we to assume that school boards or state legislators are paranoid or irrational? While each state agency in Oregon, Texas, and Illinois in 1986 agreed that unaccredited teachers were unfit to teach, there is no reason to assume that they worked to subvert the authority of the family. The goal was to make sure that each child received a basic education. Questions of psychological anxiety are inadequate and either must be reformatted or disregarded.

Upon closer analysis, one finds no real connection between the home school movement and the rise of radical conservatism. What sets the home school movement apart from the radical conservatives of the fifties and the religious activism of the seventies is its defensive nature. Radical conservatives in the 1950s and 1960s, exemplified in the tactics of Joseph McCarthy and the John Birch Society, were on the offensive, searching out suspected subversives. Efforts failed, however. The New Religious Right (e.g., Falwell's Moral Majority Inc., or Pat Robertson's Christian Coalition) lobbied against a variety of single issues, which included the content of public school textbooks (e.g., evolution and sex education), and campaigned for seats in local, state, and federal offices. They, too, broke apart in the late 1980s, although aspects of their political agenda remain. Today home school parents, many of whom are not regular political participants, fight to maintain their traditional beliefs against outside attack.[21] In this sense, they take a defensive position. They retreat to their homes when the going gets tough, but are quite vocal and active when the state interferes to regulate the private sphere.

There is no doubt that Texas fundamentalists became anxious when apparent social and cultural threats loomed. Yet rather than dismiss their actions as social angst, begging the question that conservatives deviate from reality, one should look at the home schoolers from a different angle. Doing so will reveal the existence of a competing interpretation of reality, two different worlds—the physical and the spiritual. This is an important point and will be examined next.

Lesson I: Ideological Pedagogues

In the early 1990s, scholars from the University of Michigan published an essay detailing the history of the home-school movement, identifying the

groups involved and tracing each phase since the 1970s.[22] The authors recognize five phases: 1) Contention (education reform initiated by the Pedagogues in the mid-sixties); 2) Confrontation (increased tensions in the 1970s between home schoolers and public administrators); 3) Cooperation (an easing of legal requirements and better relationships between the home and local public schools in the mid-eighties); 4) Consolidation (numerical growth, networking, legislative lobbying, and greater public acceptance); and 5) Compartmentalization (distinguishing between different home schooling organizations). Citizens associated with the religious right joined toward the end of the first phase in the late 1970s.

Two interrelated secular and religious strands characterized the movement. The authors appropriately categorize members of the first group "Pedagogues." Motivated in the mid-1960s for the sake of education reform, Pedagogues, though critical of public schools, were not identified predominantly by religious suppositions, especially the notions that virulent secularism corrodes social morality. Educators like John Holt, progenitor of the movement, Herbert Kohl, and Ivan Illich represent this group.

Their philosophy of education is twofold. First, the home is the most conducive environment for learning the basic subjects regularly taught in institutional settings—viz., reading, writing, arithmetic, science, and civics. They are part of the everyday experience of the child. Children learn by interacting with their environment. In a 1981 interview with Marlene Anne Bumgarmer, contributing editor of *Mothering Magazine,* John Holt argued that his reasons for advocating home schooling was not due to the "badness of public schools," but rather that the "school is an artificial institution, and the home is a very natural one. There are lots of societies without schools, but never any without homes. Home is the center of the circle from which one moves out in all directions."[23] Institutions stifle learning, because they separate knowledge from experience. Furthermore, the private sphere removes social (peer) pressure. Second, thinkers in this group advocate a radical reform method often referred to as the "unschooling" method, whereby the child controls the process of his own learning. Illich, for instance, views academic standards (e.g., grades and standardized tests) not only as arbitrary, but also in many cases too general to accommodate the mental development or capacity of single students. The reasons offered by both Holt and Illich set them apart from Christian fundamentalists. Nonetheless, such reasons are useful for home schoolers.

The second group, more socially visible than their colleagues, the authors label "Ideologues." Ideologues are primarily motivated by religious and moral concerns. Like the former group, their philosophy of education can be divided into two halves. First, stemming from their moral vision, they

see the public school as the storehouse of all that is secular, atheistic, and immoral. Leaders of this group include Raymond and Dorothy Moore, R. J. Rushdoony, and Samuel Blumenfeld. Second, ideologues place greater emphasis on the role of the parents, specifically the authority they exercise over their children. It was this later tenet that angered Austin's home schooling cohort. According to Ideologues, the message advanced in public school textbooks is one that flouts the values and morality of the family.[24]

Interestingly, the parents in Texas straddled the categories of both "Pedagogues" and "Ideologues." Most of the parents quoted in the state's newspapers after the April event first cited pedagogical reasons for choosing domestic education. In a 1984 interview for the *Houston Chronicle,* Susan Bradrick, Ruth Canon, and Paula Hill gave both pedagogical reasons for choosing home schooling. "Our philosophy is that education occurs at every waking hour. There's no part of the day that isn't educationally valuable."[25] At the same time they admitted that their ultimate goal was to instill religious values and build character in the lives of their children. Gary and Cheryl Leeper, parents who initiated a class-action lawsuit against more than 1,000 school districts in 1985, commented that the quality of education in the public schools stifled the development of their two young sons. Both boys were behind in cognitive development and both exhibited poor reading and math skills. But the Leeper's activities and associations revealed that they were indeed "Ideologues." Not only did they spend around $100 a month on materials from Pensacola Christian College, a fundamentalist institution and one of the largest providers of home and private school education, but they also enrolled their children in the Christian Liberty Academy, a networking organization led by Christian Reconstructionists. Raymond Moore, Samuel Blumenfeld, and R.J. Rushdoony, key figures of the ideological strand, testified on behalf of home school families in the *Leeper* case.

Thus, while they explicitly invoke notions of pedagogy, their actions point in the direction of religious ideology. Indeed the Ideologues have dominated the movement since the mid-1980s.[26] Thus, in order to more fully understand the motivation behind these families, it is necessary to examine the dominant motifs of their philosophy.

First, fundamentalist conservatives see the world from a Manichean standpoint.[27] Reality is caught in a dialectic tension between good and evil, light and darkness, the spiritual and the physical. Both sets of binaries are at times interrelated and at others separated. Predominantly, physical realities are imbued with symbolic meaning; they either occasion the spirit of darkness or the spirit of light. Sex, drugs, and rock and roll have been viewed as potentially corrosive to spiritual health; thus one must discipline

the body to avoid such material evils. Other physical realities like sacred places (a church building), representations (pictures of deities, the American flag), or social institutions (the family) are saturated with healthy spirituality.

The problem for fundamentalists—indeed, an age-old problem for religion in general—is distinguishing spirit (or spirituality) from nature. When it comes to the mundane aspects of everyday life the lines between the two are blurred. Their duty in the physical world is to focus on the spiritual; social and political involvement can at times stymie personal piety. Questions relating to whether or not one should become politically involved are never satisfactorily answered. The vagueness of such a mindset has a significant effect on social activism. Living under the ethical maxim of being part of the world while being separate from it, fundamentalists struggle with maintaining a balance between activism in society and retreat from it. This provides further reasons why fundamentalists' political involvement is erratic and unstable.[28]

Second, what corresponds to this double mindset is that interpretations of reality constantly change. To put it more simply, physical events change but interpretations, intricately tied to a metaphysical interpretive grid, remain constant. One maintains a common "message" regarding disparate events. Consider the phenomenon that has fallen under the interpretive diagnosis of secular humanism. At one time or another, fundamentalists have denounced evolution, socialism, communism, and feminism because such doctrines advance the cause of secular humanism.

A third ideological commitment stems from home school curriculum. It is within these textbooks that parents inculcate Christian values.[29] Each lesson is saturated with Christian cultural overtones. "Letters of the alphabet, featuring Bible verses and Christian sayings, hang from the walls next to three desks in the makeshift class room," wrote James Barlow, staff writer for the *Houston Chronicle,* of a home schooling and TEA opponent in 1986.[30] "The letter 'G' is followed by 'God is love' and 'N' by 'No man can serve two masters.'" The majority of inexpensive home-school curricula come from evangelical publishing companies—including *A Beka, Bob Jones,* and *KONOS*. Each lesson is tagged with a didactic moral reminder.

The most important subject, however, is history. For many Texas home schoolers, history—an unfolding ontology rather than an intellectual activity (the word *history* means "inquiry" or "investigation")—is controlled by God, and for students, it is a cauldron of Platonic ideals that reoccur time and again. Thus, it serves as a lesson in morality and character development for both individual and society, calling one back to more noble days—when early colonial America, for instance, was a veritable holy land to some of

the early European settlers. These families adopt a Livy-Santayana model of history: those who fail to mimic the virtues of historical characters become harbingers of social decline. The social science books published by these companies develop activities that encourage students to emulate characters like Cicero, Alexander the Great, John Smith, George Washington, Abraham Lincoln, and even Robert E. Lee.[31]

Austin parents saw their campaign against the TEA as a moral crusade. Nine-year-old Brian Way, studying the character of Sam Houston and his fight for Texas independence, anticipated a trip to Austin in April of 1986 to experience state tyranny firsthand. Undoubtedly, Houston became, in little Brian's mind, an inspiring individual. His and other parents were fighting legislative despotism.[32] Beyond that, the very title of the event, "The Austin TEA Party," or the signs that the opposition carried, "Remember Boston? Dump TEA," play on the past, evoking notions of libertarian patriotism and legitimizing rebellion from a tyrannical government.[33] These parents were simply doing what their colonial forefathers did.

Ideological commitments—the effects of a bifurcated reality, the plasticity and effectiveness of spiritual interpretations despite physical change, and the use of history as political propaganda—must not be underestimated. It is the starting point. Margaret Ann Latus writes: "…the task of grassroots organizing is usually already partly done, since there is a foundation of existing church congregations on which to build….the religious motivation for behavior can be pervasive and powerful."[34] Writing in *Review of Religious Research* in 1991, Vernon Bates argued that homeschoolers "wished to transform their ideology into reality in order to protect their religious convictions and to have some official control over the means of cultural reproduction."[35] Scholars, shifting their focus away from "social-psychological theories," look at how beliefs are socially and politically channeled, an analytic approach referred to as "resource mobilization."[36]

Lesson II: Social Makeup

With ideology firmly in place, home schoolers mobilize for political action the most important social institutions: family and church. Of the two, the "traditional" family is central. As a divinely established entity, it is the cohesive force that keeps society intact. The adjective "traditional" first connotes a monogamous and mutual relationship between one man and one woman for the creation, via offspring, of a unique and perennial social unit. It also suggests, especially in contemporary circles, a relatively close-knit economy that often results in a sheltered life for the children. Not only do such conservatives reject non-traditional families, especially ones with par-

ents of the same-sex, they also agree to maintain a patriarchal authority structure.

Paradoxically, however, while fathers are ideally "heads" (a term not always clearly defined by those who accept it) of their households (financially and spiritually), mothers play a prominent (in many cases dominant) role. "These women," writes Mitchell Stevens in *Kingdom of Children,* a history of the home school movement, "are full-time mothers, but they also are engines of elaborate family projects and the brick and mortar of an impressive social movement infrastructure."[37] Mothers act as both homemakers and home educators. Whether or not the myriad media organizations realized it, every newspaper that recounted the home school events in Texas since the early 1980s—especially the *Houston Chronicle,* the *Dallas Morning News,* and the *Austin American-Statesman*—interviewed mothers and detailed their place in both the private and public spheres.

Many of the legal cases in which a home school family was prosecuted centered on the activities of non-accredited mothers who trained their children at home.[38] Consequently, a number of women have become politically active, extending their influence beyond the confines of the private sector. They have created numerous institutional support groups like the Advanced Training Institute (ATI) for home schooling families and have acted as editors of widely read publications, including *Mothering Magazine, Practical Homeschooling Magazine,* and *Teaching Home*. Austin's conservative mothers and educators found adequate reason to enter the political arena.

What appears to be contradictory is the fact that these women, without admitting it, are anti-feminist feminists. While they criticize feminism (failing to identify the competing schools of feminist thought), they are equally indebted to it. According to Stevens, these women "live in a broader culture shaped significantly by a generation of liberal feminism."[39] Second wave feminists, those who railed against the suffocations of modern consumerism during the fifties and sixties, have laid the groundwork for wives to extend their authority within the private sphere itself. Rather than submit blithely to the whim of their husbands, conservative women inform men of their duties. In an article written in *Christian Herald* in the early 1990s, Beverly LaHaye, founder and chairman of Concerned Women for America (CWA), reminds women of the imperative to support their male spouses, but she also informs men of what their duties entail. Commenting on what women need (adopting a kind of cultural feminism), LaHaye writes: "Women long for their husbands to have more spiritual involvement with the children, who seek a role model."[40] The irony of LaHaye's essay is midway through the essay. She tells husbands how they are to accomplish their responsibili-

ties and warns that the fate of society rests on their moral character: "the presence of a godly man in the lives of his wife and children has far-reaching effects, extending to society as a whole."[41]

While children of home schoolers are at the bottom of the authority ladder, they are at the center of parents' objectives.[42] Another important tenet of religious ideology relates to humanity's fallen sinful state and the need for parental guidance. This is both ideological and sociological, for the way in which children are conceptualized is the way they will be treated, especially by parents. The surest way of protecting children is for parents to inculcate important spiritual values. Children, born sinners (i.e., morally rebellious to God's standards), also rebel against the earthly authority of their parents, who, according to fundamentalists, are representatives of God on earth. They need spiritual and moral discipline. Proper instruction not only prepares them for the next life, but also protects them from the ubiquitous and virile "wisdom" of the world. Most religious parents are wary of sending their children to an academic institution marred by secular humanism, which, to them, flouts God's law, resulting inevitably in moral decay. When the state or any of its agencies undermines the rights of families it abuses its own authority. The parents at the Austin TEA Party and the litigants in the *Leeper* case opposed the supposed presumption of the state to subvert the authority of the family.

The next important social institution is the church, a spiritual community that fosters a shared cultural identity. Religious conservatives are regular attendees of local ecclesiastical bodies. They are not only regular church attendees, involved in typical Sunday morning exercises, they are also active in separate weekly programs for men, women, and children. They are taken care of spiritually and economically, watched over by an active religious government. At the top is the minister, who takes on the role of shepherd and leader. For most ideologues, Church leaders play an important role in social leadership, and the Church as a whole can be an efficient mobilizing force.

Parishioners also seek the help of para-church organizations. Engaged in secular rather than ecclesiastical duties, they provide legitimate legal, financial, and political services to give further aid to congregations. Represented at each home school debacle in Texas, as well as Oregon and Illinois in the same year, was a theocratic think-tank known as Christian Reconstructionists. Home school activism has relied heavily on this group. Hardcore Reconstructionists led Oregon's Parent's Education Association Political Action Committee (PEAPAC) and the home schooling networking organization, Christian Liberty Academy (CLA), in Illinois. The identified paladin, R.J. Rushdoony, established an organization in the mid-sixties dedi-

cated to Christian education called Chalcedon. This institution's intent was to destroy the secularism that dominated state run schools. Robert Billings, former Moral Majority activist and later member of the Department of Education during Reagan's presidency, once remarked: "If it weren't for [Rushdoony's] books, none of us would be here."[43] Rushdoony commended the actions of Austin's conservative cohort, and was a witness (along with Raymond Moore and Samuel Blumenfeld) in the legal battle over private schooling in Texas in the mid-eighties.

Reconstructionism's strategy extends beyond education. Adherents of Rushdoony's philosophy are also concerned with amending the economic, political, cultural, and religious structure of today's society. They espouse a philosophy known as "dominion" theology. Christians are obliged to take dominion over all aspects of society by returning to the absolute, infallible standard for a morally upright society: the ethical maxims delineated in both the Old and New Testament scriptures. Since the 1980s dominionists have maintained a beachhead in Texas. In the early 1990s, Reconstructionists in Harris County organized "conservative churches into a formidable political machine," wrote Joseph Conn, and ousted moderate Republican County Chairwoman Betsey Lake. She was replaced by Steven Hotze, Houston's coordinator for the Coalition on Revival (COR), a theological ally of Rushdoony, and board member of the Christian Reconstructionist publication *Biblical Worldview,* edited by American Vision director Gary DeMar, also an admirer of Rushdoony and Reconstructionism. Hortze's intent in capturing the Harris County GOP was, as he said in 1993, "to restore America to its Christian heritage," reinstate God's (Old Testament) law, and turn back the tide of progressive legislation that protected gay rights, government schools, and the legality of abortion.[44] Unsuccessful in the mainline political arena, Reconstructionists have made significant gains in securing the rights of parents to educate their children at home. They have thus protected parents' right to propagate a fundamentalist Christian worldview.

Lessons Learned: Legal Legislation

Along with mass mailings, phone campaigns, organizational networking, and newspaper publishing to distribute important legislative issues (traditional activities of the Right), the most effective tactic utilized by home schoolers has been the establishment of local and national support groups, including legal organizations and political action committees. With a few minor exceptions, private and home school advocates have been protected—wittingly or not—by America's courts. In 1925 the Supreme Court delivered the first major precedent favoring private religious education. Origi-

nating in Oregon, the court's ruling in *Pierce* v. *Society of Sisters* struck down a law that required attendance at public schools only. Two years later another state law—granting the territory of Hawaii "unlimited regulatory control over its private schools"—was reversed by the high court (*Farrington v. Tokushige).*[45] And in the 1972 *Wisconsin* v. *Yoder* case the court allowed Amish parents the right to control the education of their children.[46]

These decisions, though not focused on fundamentalist activity, recognized the legality of private schools and reaffirmed parental authority. Consider the decision offered by *Pierce:* "the child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."[47] The opinion expressed captured philosophical aspects of both Ideologues and Pedagogues. Likewise both the *Farrington* and the *Yoder* cases protected the religiously motivated actions of parents. In fact, the lower courts have extended the Yoder decision to "persons with traditional theistic 'religious beliefs.'"[48] Texas parents in April 1986 emphasized their role as parents. "The parent is the steward of the child not the state. The issue is who is going to make the decision, the parent or the state?"[49]

By the early 1980s, three states—Utah, Nevada, and Ohio—allowed parents to run an educational program in the privacy of their own home. Domestic education rapidly became a popular alternative to state sponsored schools. The need to protect and secure its growth was paramount. Yet, granting legal status has been different for each state. Noticing the rise of the movement, Michael Farris, attorney and former Moral Majority activist, established the Home School Legal Defense Association (HSLDA). The organization launched its first affirmative-action suit against the state of Washington in 1983. Legal action initiated by the HSLDA has been successful in a number of states. Texas was more difficult to crack.

Since the turn of the twentieth century, no specific rule legally protecting domestic education existed in Texas. At the dawn of the 1980s, the Texas Education Agency proposed a list of rules for establishing once and for all specific requirements for the legal recognition of private schools. Parents had hoped that home education would by included in the requirements. They were wrong. The Texas Education Agency authorized both private and home schools to abide by the rules set up for public school educators—viz., that all Texas teachers be state certified and graduates of an accredited university. Consequently, in the eyes of Rick Arnet, a deputy commissioner for the TEA, home school was not legal.[50]

In 1981, the TEA prosecuted 150 families for failing to abide by the compulsory attendance law, which required students between the ages of 6

and 17 to attend a legitimate Texas school. Superintendent Michael Say commented in 1986 that of fifteen cases in which "children were found to be staying at home instead of attending school, only four of those involved home-school situations. The rest were cases where children were getting no education at all."[51] The state agency wanted to make sure that all children received an adequate education.

Conservative parents, however, saw the situation differently. The secular state transgressed its authority when it invaded the family, a divinely established social sphere. In 1985, Gary Leeper, his wife, Cheryl, and other married couples, filed a class-action suit against the TEA (*Leeper et al.* v. *Texas Education Agency et al.*). They argued that the agency's disregard for home education was a violation of parental authority. Before the lower court decided the case, home school families gained the support of politicians such as Republicans Kent Hance and former Mayor Bill Clements, intellectuals including Ray Moore, Rushdoony, and Samuel Blumenfeld, and a host of non-profit legal organizations like Farris's Home School Legal Defense Association (HSLDA).

State superintendents, school board members, and newly elected democratic Mayor Mark White were surprised by the rapid emergence of a grassroots cohort of private education supporters. The families won the lawsuit in 1987, securing their right to practice education at home free from government interference. But the decision was immediately appealed by the TEA and sent to the 2d District Court of Appeals in Forth Worth. The state agency, again, was unsuccessful; the appeals court affirmed the lower decision. The legal battle finally ended in the summer of 1994 when the Texas Supreme Court affirmed the lower court's decision and thus protected the status of parents who educated in the home.[52]

In order to stave off any future legal confrontations between families and state legislatures, the HSLDA often teams up with other private organizations. In the same year that religious families protested the actions of Texas state agencies against home schooling, fundamentalists in Oregon lobbied to approve a bill that would protect home educators. Oregon's PEAPAC, the Oregon Christian (Home) Education Association Network (OCEAN) magazine *The Teaching Home,* edited by Sue Welch, and a host of like-minded political leaders were successful in passing the bill. Similar events occurred in Illinois. In order to maintain their legal status, parents, with the help of the HSLDA, formed the Christian Home Education Coalition (CHEC), a voluntary organization that monitors the legislative actions of the Illinois General Assembly. Through its magazine, *The CHEC Connection,* the group has been able to disseminate vital information regarding bills that would affect home school families.

"The purpose of the groups," writes Bates, "is to provide academic, structural, emotional, and spiritual support for the parents of home-school children."[53] Bates continues:

> Support groups provide families with new curriculum materials, arrange group activities such as field trips and physical education activities, discuss common problems and common solutions in teaching at home, complain about the poor quality of the public schools, pray for God's guidance and wisdom in their home school, share information about other support groups and schedule home-schooling events such as workshops, discuss politics, and engage in a variety of other activities one might expect from a group of like-minded individuals.[54]

The associations act as a kind of communal or extended family, much like a church, allowing parents—mainly mothers—to gain creative domestic ideas, make friends, and strengthen religious ties. They may also function as a way for wives to escape the confines of the domestic sphere.

Conclusion: The TEA is Dumped

In the summer of 1994, headlines in the *Austin American-Statesman* read "Parents who teach their children at home were handed a victory Wednesday from the Texas Supreme Court, which decreed home schools as essentially private schools and, thus, out of the state's regulatory reach," ending an eight-year battle between home school supporters and the Texas Education Agency.[55] Home schoolers gained their liberty from "government tyranny." Chris Klicka, senior lawyer for HSLDA and fundamentalist ideologue, said: "We believe this is a solid victory for home schools in the state of Texas." Both the Second Court of Appeals in Fort Worth and the Texas Supreme Court declared: "Home schooling is legal and comes under the status of private schools."

One would expect that a tyrannical agency's animosity would increase when their subjects rebelled and gained their freedom—or so the discourse goes for a Manichean. In reality, however, the state education agency not only submitted to the decision of the high court, but revealed their reasons for prosecuting in the first place: the academic well-being of Texas' next generation. David Anderson, chief counsel for the TEA, showed no animosity towards the opposition and welcomed the decision as "a 'decent

compromise' because it defined home schools as private schools and recognized that the state has an interest in ensuring that all children receive a good education." Taking on rhetoric that would have pleased child-centered ideologues, Anderson continued by saying that the decision recognized "that the kid gets educated and not where the kid is educated." State Board of Education member Will Davis of Austin likewise supported parents' right to educate children at home: "We have always felt that home schooling was in the nature of private schools, but we wanted to make sure that, like private schools, these young people get appropriate education."[56]

After the TEA party, Kirk McCord and Brad Chamberlain organized the Texas Home School Coalition (THSC), a political action committee that later merged with an allied organization, Home Oriented Private Education (HOPE). Timothy Lambert, participant in the TEA controversy and current president of THSC, encouraged parents "to become an active member of the home school community in the never-ending battle to protect the freedom to teach our children without the interference of the government."[57] Today, the lone star state leads the nation in home education.[58] Over two hundred home school support groups along with nearly fifty curriculum providers (half of which are religiously based) reside in Texas. The 1986 political action of home school families in Texas has inspired other states to follow suit.

Notes

[1] H. Reginald McDaniel, "Fate of Home, Private Schools at Stake at Austin Hearing," *Houston Chronicle,* 9 April 1986, 19A.

[2] Terrence Stutz, "4,000 Home-School Backers Mass For State Rules Hearing," *Dallas Morning News,* 11 April 1986, 13a. In a 2002 publication of the *Texas Home School Coalition Review,* President Tim Lambert placed the numbers at 6,000.

[3] Patricia Lines, "Home instruction: The Size and Growth of the Movement," in J. Van Galen and M. A. Pitman, eds., *Home Schooling: Political, Historical, and Pedagogical Perspectives* (Norwood, NJ: Ablex Publishing, 1991), 12. The numbers represent families that are registered with a state agency. Not all states, including Texas, require registration, which means that the numbers may be higher.

[4] Lines quote in Michael B. O'Connell, "Homeschooling: An Historical Inquiry," (Ph.D. diss, University of Saratoga, 1998), 88. See also a statements offered by a home schooling parent. Connie Pryzant, "School at Home: Forth 'R' is Religion for Many Who Educate Their Children on Their Own, *Dallas Morning News,* 6 October 1984, 1A.

[5] Ibid., 89.

[6] Brian D. Ray, *Strengths of Their Own: Home Schoolers Across America* (Salem, OR: NHERI Publications, 1997), 90. Vernon Bates, "Lobbying for the Lord: The New Christian Right Home Schooling Movement and Grassroots Lobbying," in Melvin I. Urofsky and Martha Mays., eds. *The New Christian Right: Political and Social Issues.* New York: Garland Publishing, 1996.

[7] Readers may be confused with the separation between Baptists and evangelical fundamentalists. It is true that at points certain conservative Baptist groups (Southern, Reformed, etc.) share the theological ideals of evangelical fundamentalism and vice versa. The distinction between the groups is a confessional one. A large number of Christians (of the born-again cohort) do not confess an ecclesiastical creed; in this sense, they can be labeled independent, non-sectarian, or more popularly non-denominational.

Fundamentalists pledge allegiance to the basic or "fundamental" tenets of the Christian religion, as it began its initial systemization in the late-nineteenth century—viz., the inerrancy of scripture, the virgin birth, the physical resurrection of Jesus Christ after his death, original sin, and the reality of miracles as presented in the New Testament. Along with these beliefs, the specific interpretations of which are not always agreed upon, most fundamentalists view of history is imbued with apocalyptic or eschatological overtones; that is, all events are preparations for the final days before and after the rapture and second coming of Christ.

Evangelicalism, on the other hand, is a bit more complicated and has a much longer existence. Mark Noll, David W. Bebbington, and George Rawlyk provide a four-point definition of evangelicalism: "biblicism (a reliance on the Bible as ultimate religious authority), conversionism (a stress on the New Birth), activism (an energetic, individualistic approach to religious duties and social involvement), and crucicentrism (a focus on Christ's redeeming work as the heart of essential Christianity)." See Noll, Bebbington, and Rawlyk, eds., *Evangelicalism: Comparative Studies of Popular Protestantism in North America, the British Isles, and Beyond, 1700-1900* (New York: Oxford University Press, 1994), 6.

[8] Lisa McGirr, *Suburban Warriors: The Origins of the New American Right* (Princeton: Princeton University Press, 2001), 7.

[9] Ibid., 147. For further studies on the paranoid style and status anxiety of the new right, see Daniel Bell, ed. *The Radical Right.* 3d ed. New Brunswick, NJ: Transaction Publication, 2002.

[10] Talcott Parons, *Politics and Social Structure* (NY: Free Press, 1969), 169.

[11] Steve Bruce, *The Rise and Fall of the New Christian Right: Conser-*

vative Politics in America, 1978-1988 (Oxford: Clarendon Press, 1988), 7.

[12] McGirr, 7.

[13] Ibid., 15.

[14] Bruce, 12-13.

[15] Readers, however, should not adopt Bruce's position uncritically. To abandon appeals to truth seems hasty and commits the fallacy of argument *ad ignorantium* (argument from ignorance). He offers no evidence when he says "There is nothing which the social scientist knows which gives him or her an insight into such questions"—questions of the truth or falsity of beliefs—"any greater than that possessed by the average Klansman or John Bircher."[15] What leads him to draw such a conclusion? Is there nothing by which claims can be verified? Is there a standard the scholars can abide by? Furthermore, Bruce does not consider the issue of warranted beliefs. A better approach is to consider whether a claim to truth is justified or, better yet, warranted. It is not a matter of whether a belief is justifiable, for a Klansman can have, at least in his mind, what seems to be reasons for holding a particular belief. He may even be able to organize his reasons into an argument that is cogent to some people. Yet it is a wholly different matter to consider whether his claims are produced in the proper environment and under the right conditions. It is then legitimate for scholars to ask whether the beliefs held by Birchers or Klansmen are "reasonable." For further reading on epistemological warrant and justification see Alvin Plantinga's *Warrant: The Current Debate* (New York: Oxford University Press, 1993). And for a study of the debate between transcendental objectivity and the production of pragmatic truth claims within a given social community consider Richard Rorty's *Objectivity, Relativism, and Truth: Philosophical Papers Volume I* (Cambridge: Cambridge University Press).

[16] J. Gary Knowles, Stacy Marlow, and James Muchmore, "From Pedagogy to Ideology: Origins and Phases of Home Education in the United States, 1970-1990" *American Journal of Education* (August 1991), 129.

[17]Maralee Mayberry, "Characteristics and Attitudes of Families who Home School" *Education and Urban Society.*

[18] Susan Warren, "Politicians Join Parents' Rally in Favor of Home Schooling," *Houston Chronicle,* 26 March 1986, 21.

[19] The home school studies used and cited in this essay—especially J. Gary Knowles, *et al.,* and Stevens—all concur that it is wrong to think that children are deficient in socialization.

[20] Ritter, "Read This Before You Veto Home-Education" *American School Board Journal* (October 1979): 38-40. In the *American Journal of Education,* Gary Knowles, Stacey Marlow, and James Muchmore site cases where religious parents were jailed for home schooling.

[21] Studies of home school families by Bates, Winters, and Knowles, et a., have revealed that many parents were not politically involved in Oregon, Illinois, or Texas prior to home schooling controversies.

[22] J. Gary Knowles, Stacy Marlow, and James Muchmore, "From Pedagogy to Ideology: Origins and Phases of Home Education in the United States, 1970-1990" *American Journal of Education* (August 1991): 124-34.

[23] Marlene Anne Bumgarmer's interview with John Holt in Anne Pedersen and Peggy O'Mara eds., *Mothering Magazine* (Santa Fe, NM: John Muir Publications, 1981), 32-43.

[24] Both Ideologues and Pedagogues have provided a welter of home school textbooks. Consider Holt's *Teach Your Own, How Children Fail, How Children Learn,* Illich's *Deschooling Society,* Ray and Dorothy Moore's *Better Late Than Early,* Samuel Blumenfeld's *Homeschooling,* and R. J. Rushdoony's *Messianic Character of American Education.* The works offered by the Ideologues are emotionally charged and appeal to the religious conservatives of a number of Christian home schoolers. Both camps have also provided a number of support groups and research agencies: Brian D. Ray's National Home Education Research Institute in Seattle; Raymond and Dorothy Moore's the Moore Foundation in Washington; Pat Montgomery's Clonlara School Home Based Education in Michigan; Greg Harris's Christian Life Workshops in Oregon; R. J. Rushdoony's Chalcedon Foundation; and J. Richard Fugate's Alpha and Omega Publications in Arizona. Such agencies disseminate curriculum materials as well as newsletters that keep parents informed of upcoming legislative acts.

[25] Connie Pryzant, "School at Home: Fourth 'R' is Religion for Many Who Educate Their Children on Their Own," *Dallas Morning News,* 6 October 1984, 1A.

[26] The parents in Austin cited both academic achievement and religion as two essential reasons for choosing home education.

[27] Another important component of a Manichean mindset is its apocalyptic overtone. Fundamentalists since the 1920s have been concerned with the "last days" and the onset of the apocalypse. Such a message intensified immediately following World War II. The politicians like McCarthy were, in a sense, agents of this eschatological perspective; communism was the manifestation of the Beast described in the Revelations. For a further study of the relationship between fundamentalism and moments of apocalyptic outbursts read George Marsden's *Fundamentalism and American Culture: The Shaping of Twentieth-Century Evangelicalism, 1870-1925.* New York: Oxford University Press, 1980.

[28] Further reasons for the instability of fundamentalist political activity relates to questions of theological purity. Many fundamentalists, trying to maintain theological purity, don't associate with non-fundamentalist groups, like Roman Catholics, Jews, or Muslims. For instance, Bob Jones, a radical southern fundamentalist Baptist, stated in the late 1980s that Jerry Falwell, a like-minded fundamentalist southern Baptist, was the most dangerous man in America. Their justification is that they are not to be unequally yoked with other faiths. This lack of pragmatism in their political mobilization has led to tenuous political alliances. For more on the collapse of the New Christian Right, see Bruce, 189.

[29] H. Reginald McDaniel, "Fate of Home, Private Schools at Stake in Austin Hearing" *Houston Chronicle,* 9 April 1986, 19A.

[30] James E. Barlow, "Schooling at Home: Beliefs Often at Heart of Schools Issue" *Houston Chronicle,* 29 December 29, 1986, 1A.

[31] Stevens, 73.

[32] Deborah Hurst, "State's actions could put home schooling in corner," *The Houston Chronicle* 10 April 1986, 12.

[33] *Dallas Morning News,* 11 April 1986.

[34] Margaret Ann Latus, "Ideological PACS and Political Action," 75-103 in Robert C. Liebman and Robert Wuthnow, eds., *The New Christian Right* (New York: Aldine Publishing), 1983. Sociologists Susan Rose and Alan Peshkin examine different private religious schools and highlight their underlying social and ideological tenets. Rose's analysis focuses on class status and religious practice. Working class charismatics appear to be more concerned with social conditions and the surrounding material environment than middle class fundamentalists. Peshkin, on the other hand, employs a term called "total institution" to describe private religious schools. Private school administrators and teachers seek to regulate students' social (public) and domestic (private) life, hoping to inculcate on their minds the idea that they are constantly being watched. See Rose's *Keeping Them Out of the Hands of Satan: Evangelical Schooling in America* (New York: Routledge, 1988) and Peshkin's *God's Choice: The Total World of a Fundamentalist Christian School* (Chicago: University of Chicago, 1986).

[35] Vernon L. Bates, "Lobbying for the Lord: The New Christian Right Home Schooling Movement and Grassroots Lobbying," in Melvin I. Urofsky and Martha May, eds., *The New Christian Right: Political and Social Issues* (New York: Garland Publishing, 1996), 182.

[36] Ibid.

[37] Mitchell Stevens, *Kingdom of Children: Culture and Controversy in the Homeschool Movement* (Princeton: Princeton University Press, 2001), 54.

[38] People v. Nobel, no. S791—0114—A, S791—0115, Allegan County District Court, Michigan (1979). A home school mother was brought to trial for teaching her child at home. She received a bachelors degree in special education, but refused to obtain a state teaching certificate for religious reasons. She based her defense to educate at home on the first amendment's free exercise clause.

[39] Stevens, 75.

[40] Berverly LaHaye, "What Women Wish Their Husbands Knew About Leadership," *Christian Herald* (November/December 1990), 21-22.

[41] Ibid., 22.

[42] One may ask: Where are most of the children in the home school movement now? *Mothering Magazine* published a series of articles written by a number of adults who had been educated at home. Each testimony praised the academic and social benefits of domestic education.

[43] Billings quote in Bruce Barron, *Heaven on Earth?: the Social and Political Agendas of Dominion Theology* (Grand Rapids, Michigan: Zondervan Publishing, 1992), 1.

[44] Joseph Conn, "Trouble in Texas: How the Christian Right Seized Control of the Houston GOP," *Church and State* (February 1993): 11-12.

[45] Farrington v. Tokushige*,* 273 U.S. 284 (1927).

[46] Knowles et al. 210.

[47] *Pierce* decision quoted in Ibid., 210.

[48]Ibid., 212.

[49] Susan Warren, "Politicians Join Parents' Rally in Favor of Home Schooling," *Houston Chronicle,* 26 March 1986, 21.

[50] *Dallas Morning News,* 6 October 1984.

[51] *Dallas Morning News,* 11 April 1986, 13 A.

[52] Texas Education Agency et al. v. Leeper et al. Court of Appeals of Texas, Second District, Fort Worth, 843 S.W. 2d. 41 (November 27, 1991). See also Supreme Court decision: 893 S. W. 2d 432, Tex Sup. J 968, (June 15, 1994). See also Wendy Benjamin, "Home schools win court fight: Ruling backs parents' right to teach their own children," *Houston Chronicle* 16 June 1994, 1 A and A. Philips Brooks, "High court rules state agency cannot regulate home," *Austin American-Statesman* 16 June 1994, 2.

[53] Ibid., 181.

[54] Idem.

[55] A. Philips Brooks, "High Court Rules State Agency Cannot Regulate Home," *Austin American-Statesman,* 16 June 1994, 1A.

[56] Wendy Benjamin, "Home Schools Win Court Fight: Ruling Backs Parents' Right to Teach Their Own Children," *Houston Chronicle,* 16 June 1994, A1.

[57] Tim Lambert, "Review From the President" *Texas Home School Coalition Review* (November 2000), 4.
[58] Ibid., 8.