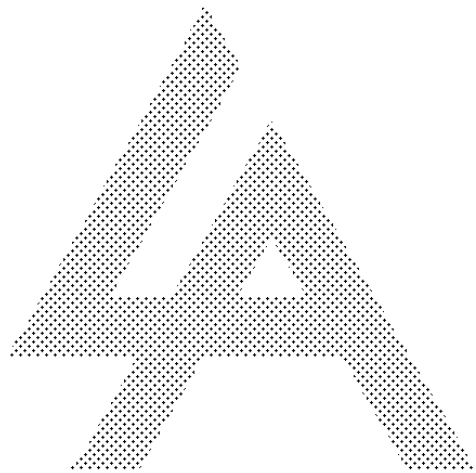


# THE STATE, OBEDIENCE TRAINING, AND YOUNG REBELS: IN DEFENCE OF YOUTH RIGHTS

**KEN  
SCHOOLLAND**



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**Libertarian  
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Throughout history it has been generally accepted that the government could restrict the freedom of whole segments of the populace. This has been the case because the state has always defined some people as being the property of others. And when these human chattels have rebelled against the control over their lives, they have traditionally been labelled “runaways” — property that somehow stole itself and had to be hunted down and returned by state enforcers.

## Runaways: Stolen Property

Prior to the American Civil War, the debate about runaways largely focused on black Americans who were considered to be the slave property of southern plantation owners. The masters always claimed that it was really for the *protection* of blacks, who were supposedly too ignorant and unskilled to be free and independent.

In the famous Dred Scott case, the Supreme Court declared that runaway slave property could be hunted all over the country and returned to their owners. Every moment of their lives, self-stolen slaves feared that someone might turn them in. The legal marketplace was largely closed to their labours and they remained slaves to any who threatened to expose them to the authorities.

Also common in those days was the treatment of women as the wards and property of their husbands. As Joan Kennedy Taylor has written:

“The fundamental law of the American colonies was the English common law ... which held that when a woman married, her existence as a legal entity ceased, and she could no longer own property, make a contract, make a will, legally hold or control her own earnings, or have any legal rights” [with respect to her children].<sup>1</sup>

This was basically a definition of legal incompetence. Under such conditions, how could women establish economic independence in the business world if, by simply falling in love, they were legally categorised with the drunk or insane?

Once married, men had an enormous power over their wives. In 1847, for example, Commodore Vanderbilt had finally become wealthy enough to move from Staten Island to a fashionable new house on Washington Place in New York City. When his wife refused to join him in the new house, Vanderbilt had her committed to a sanatorium for several months until she obeyed.<sup>2</sup>

If self-stolen women dared to try to run away from the torment and abuse of an autocratic husband, there was really

nowhere to go. Whereas blacks had been *compelled* to do work, most states had so-called “protective legislation” that *prohibited* women from doing work in many trades and professions. White men had the power of the vote and they frequently exercised it to secure most employment to themselves. Any women who still desired independence were relegated to a few very low paying professions or to the illegal market where they might sell their bodies.

## A Constitutional Sieve

The 13th Amendment was added to the United States Constitution to outlaw involuntary servitude. The 14th Amendment was written to guarantee equal protection of the law to all citizens. And the 19th Amendment granted women the power of the vote. While blacks and women gained some fragile new freedoms, these measures were still denied to many.

The lack of any legal rights took the American Indians from complete autonomy to near oblivion in the span of a generation. White intruders were permitted to rob and kill with impunity. And when the Indians rebelled, the cavalry herded them onto desolate reservations like so much government livestock. Courageous runaways were labelled ‘renegades’ and were ruthlessly hunted down.

It was not only Indian wars which resulted in massive infringements of individual rights. The Spanish-American War left U.S. Marines in control of the lives of Filipinos for 40 years. After Pearl Harbour, 120,000 Japanese-Americans were herded into detention camps. It was presumably for their own protection that they lost their citizenship rights, their businesses, their property, and their liberty.

More recently, despite 13th Amendment guarantees against involuntary servitude, hundreds of thousands of young men were drafted to go and kill or be killed in Vietnam. They were told that it was really for their ultimate protection that this decision had been made for them. And runaways were labelled “deserters” or “draft dodgers”. Libertarian theoretician and defender of the family Robert Krel, has thus written:

“We must admit that there is something drastically wrong with the family when parents stand around like cattle and sheep and watch their children being hauled away by the state to be slaughtered in some foreign war. Even if we were to conclude that these foreign wars were in the best interest of national defence, not even an animal expects its young to fight its battles for it.”<sup>3</sup>

It is easy, of course, to push the young out to the front lines because of the special station they have in American society and Western society generally — devoid of practically all human rights. And to match this condition is the largest class of runaways in America's history. At present there are nearly a million young people who have stolen themselves from their legally designated place — intolerable homes and schools. Perhaps there would be many times that number if they weren't afraid of winding up like a half million other young people who are presently rotting in America's jails and institutions.

### Institutional Horror Stories

These state institutions are rationalised as being necessary for the protection of the young. But consider the Gannet News Service investigation of the Oklahoma State training schools and institutions that revealed the macabre brutalisation of thousands of young people. They have been hog-tied with handcuffs, belly chains and leg irons for extended periods, sometimes being suspended from the floor, shackled to toilets, drainpipes, sinks and beds, and kicked or beaten while so confined. Many were hospitalised with serious injuries including broken bones as a result of attacks by adult attendants.<sup>4</sup>

Young people were also coerced into performing homosexual acts with state employees. They were recruited to join a prostitution and drug ring. Youths were thrown into squalid 5-by-8 solitary confinement cells for weeks at a time. Frequently they were placed under the supervision of convicted felons and chronic sexual offenders. It was common practice for these young people to be strip-searched and prevented from sending or receiving uncensored mail or communicating with outside parties, including attorneys.

All of this went on with the full knowledge of high state officials who blocked numerous efforts to investigate the thousands of complaints that were filtering out. The Hitlerian kingpin was 75-year-old Lloyd Rader, the state's welfare director, who pandered patronage jobs and adoption favors to more than a hundred state legislators, a state Supreme Court judge, and a U.S. Senator. These revelations inspired an examination of Tennessee institutions where much the same story was uncovered. Indeed, state control over the young does not guarantee an end to child abuse. *Rather, it makes abuse possible on a massive scale.* It is no wonder that one 15-year-old runaway girl in Hawaii tried to run from a police officer who was taking her to the Alder Street detention home. Official reports say that the bullet that smashed into her face while she was fleeing had been accidentally discharged.<sup>5</sup> Such "accidents" serve to remind us that death can be the ultimate penalty behind resistance to any law. Furthermore, it is worth noting that runaways are often extremely courageous souls who take enormous risks in fleeing oppressive situations that the state has been, directly or indirectly, involved in creating.

### The Omnipresent State

At every stage of human life, state officials have tried to manipulate and shape human behavior. This has invariably led to perverse consequences. Over the years, the state has restricted the methods of contraception as well as the advertising and distribution of contraceptive devices and information. It is no surprise, then, that many people have given birth to children that they did not want.

The state has also injected itself into the process of adoption, *outlawing* a multitude of ways that people with unwanted infants and children could transfer them to people who want them very much. There are hundreds of thousands of unwanted children who could find homes among the 3 million Americans who wish to adopt them. These would-be parents must wait as long as 5 to 10 years for an adoption — if the social bureaucracies approve the match.<sup>6</sup> Despite the demand for adoptions, approvals dropped to 100,000 last year compared with 175,000 a decade ago. An economist with the Canadian Frazer Institute, Walter Block, has thus commented:

"There are a whole host of [rules] — racial, ethnic, religious, medical, and others, imposed by 'responsible' statist adoption agencies. But almost everyone who studies them calls them 'arbitrary' and 'unfair'. They do little to weed out unfit parents. Rather, they seem designed to satisfy the personal likes and dislikes of various bureaucrats."<sup>7</sup>

According to Robert Krel,

"The present legal system of 'obligation' is one of the primary causes of child abuse. Those who are inclined — indeed, have strong desires — to be parents, are frequently denied the 'responsibility' because of adoption requirements, etc.. Those who are *not inclined* to accept parental responsibilities are obligated; and by so doing, the legal system obligates children to accept parents they would not choose to have. In Texas, for example, it is against the law to provide shelter for youngsters, because they might be 'runaways'. The present legal system violates a Higher Law — the basic inclinations of human nature."<sup>8</sup>

Emphasising this point, the former Libertarian Party Presidential candidate Ed Clark wrote in his book, *A New Beginning*:

"Families across the country ... have traditionally taken in orphaned children, caring for them in their homes. But the state and county welfare agencies, insisting on a myriad of bureaucratic rules, have made these informal arrangements illegal in many cases."

As the child grows up in a legally *obligated* family the resentments mount and the conditions for both the parent and child frequently become intolerable. These frustrations can lead to neglect, they can explode into chronic beatings, or they can stimulate vengeful sexual exploitation. When young people rebel from this, there is seldom any avenue of escape.

### Terrors of Psychiatry

Psychiatrist Peter Breggin charges that the courts not only refuse to extend the protection of the Bill of Rights to children, but "it provides parents with state power to use against their children". As recently as 1979, the Supreme Court handed down two rulings that declared that when a parent committed an *unwilling* child to a psychiatric institution it was to be considered a 'voluntary admission' because the *parent* desired the admission. By failing to consider the child and the parent as separate individuals, the Court has denied all procedural safeguards requiring that the child may be present or represented when the commitment is made.<sup>9</sup> Says Breggin:

“In all my experiences as a psychiatrist I have seen few more tragic situations than that of the child committed to a mental hospital or institution for the retarded. Many of these facilities are mass custodial lockups which rival concentration camps for their wretched conditions. In the worst, children will be found lying about naked amid feces and urine on bare dungeon floors while unskilled, potentially brutal aides content themselves with maintaining a semblance of order. Even in the best, the child is isolated from society, and robbed of basic amenities and dignities. Most of the time, he will be ‘snowed under’ with a so-called major tranquillizer, a severely toxic drug which paralyzes the nervous system and performs a chemical lobotomy. If the children of our society need to be protected from anything they need to be protected from commitment to these institutions.”

Belatedly, the government has tried to remedy the problems of the unwanted young by *paying* foster parents to accept a half million young people into their care. True to form, the government has continued to be a disease masquerading as its own cure. When it was discovered that 154 foster children had been assigned to the suicidal People’s Temple of Rev. Jim Jones, Senator Alan Cranston asked for an investigation of the program that seemed to be deepening the miseries of the young instead of helping them. Millions of dollars in federal aid, said Cranston, often “end up financing virtual hell holes where children are beaten, starved, and sexually abused”.<sup>10</sup> And, ironically, the taxpayer is compelled to pay for it all.

Victor Weingarten, executive director of the National Commission on Children in Need of Parents, says that those who run the system have a stake in maintaining the status quo. Institutions, he explains, get up to \$24,000 a year for each child they keep, but they receive only one \$750 cheque if youngsters are placed for adoption. “The child becomes a hostage for money.” According to one foster parent, those conscientious parents who try to change the system “are afraid to complain for fear of losing their children”.<sup>11</sup>

### Young Jim Crow

Young people who are bold enough to bolt from the authorities really have nowhere to go. Just as the Jim Crow laws were designed to remove economic opportunities for blacks, and as the so-called “protective legislation” removed economic opportunities for women ... similar legislative measures have barred young people from any legal independence. Despite 14th Amendment guarantees of equal protection of the law for all citizens, young citizens are subject to arrest for innumerable status offenses. These are actions that are only crimes for young people such as curfew violations, truancy, minor consumption, and running away. Just as oppressive, however, are those laws preventing youth employment, such as child labour and minimum wage laws. Except for newspaper publishers, employers are prevented from hiring unskilled young people. They are prevented from offering the young an income while they learn job skills and responsibilities; while they experience independence and the motivation that comes with real achievement. Newspaper publishers, presumably, are the only employers with enough virtue (or political clout) to merit exemption from these regulations.

Since young people are prohibited from earning a living in the legal market, many must resort to the illegal market and learn the talents of survival in thievery, drug peddling, pornography, and prostitution. Seven out of every ten runaway girls in Washington D.C., the nation’s capital, survive by selling their bodies. It isn’t because young people have a natural proclivity towards these activities. But for most of them all other doors have been closed in the name of “protection”.

These young people become easy prey to any one who would threaten to turn them into the police. And that can be quite a threat. Nearly half a million young people are presently rotting in America’s jails.<sup>12</sup> Nationwide, only 4% of the juvenile jail population have taken part in any violent, serious crimes.<sup>13</sup> (If you view taxation as theft and foreign interventionism as a crime, then you could say that juvenile offenders have a much better record than congressmen and senators.) In addition, a study of the Hawaii detention centre showed that *62% of the young inmates had not even violated the law, but had simply been rejected by their parents*.<sup>14</sup> Such incarceration, however, becomes a nightmarish boot camp for instilling the attitudes and skills of the hardened criminals.

### The Twelve Year Sentence

Most of the Nation’s young people don’t live under these harsh conditions, but they still receive a form of values indoctrination while serving a 12-year sentence in America’s schools. As long as they have a good home life and can conform to the world of the state-approved educator, then many of them will comfortably adopt the values of the system. To ensure this, the state compels parents to assist.

A couple of years ago in Woodburn, Oregon, a Russian immigrant woman was told that she would be sent to jail if she did not send her daughter to the public school. Natalie Egoroff contended that the public schools contradicted her religious beliefs. She faced quite a dilemma. If she complied with the state in order to stay out of jail, then it was likely that her daughter would carry out a threat to run away.<sup>15</sup>

In Hawaii recently, Lynn Israel was arrested and jailed because she wouldn’t turn her children over to the public authorities for school. She contended that she had a constitutional right to teach her children at home with or without state approval.<sup>16</sup> In Iowa, an associate professor of philosophy at Luther College found himself to be a convicted criminal because he felt that, even without an approved teaching certificate, his children would learn better at home than at the public school.<sup>17</sup>

These are but a few instances of the force of law threatening obstinate parents. Yet, for the most part, power does not rest on the use of brute force. The essence of power is derived from acquiescence. How did this acquiescence come about?

According to historian Murray Rothbard, compulsory state education stemmed from the Reformation and the ideological battles of that era. In 1524, Martin Luther:

“was the first advocate of compulsory schooling, and his plans were the pattern for the first German schools.

“Furthermore, he inculcated Lutherans with the ideals of obedience to the state and the belief that all dissenters must be persecuted. As [Lord] Acton states, he im-

pressed on his party that character of political dependence, and that habit of passive obedience to the state, which it has ever since retained ... It is hardly coincidence that the most notoriously despotic state in Europe — Prussia — was the first to have a national system of compulsory education.”<sup>18</sup>

Throughout Europe, totalitarian regimes of all types have followed suit with the realisation that:

“the indoctrination of the nation’s youth in their schools is one of the chief mainstays of the slave-states ... At the base of both totalitarianism and compulsory education is the idea that the children belong to the state rather than to their parents. One of the leading promoters of this idea in Europe during the late Eighteenth century was the notorious Marquis de Sade, who insisted that the children are the property of the state.”

Amidst the long history of such proclamations in America, Jeff Rigganbach cites the Rev. Jeremy Belknap who, in 1785, argued for

“compulsory public schools for all, on the grounds that children belong not to their parents, but to the state.”

This attitude was reflected by a New York City public school official, in 1917, who stated that:

“Public school teachers are state servants ... Teachers are in a position analogous to that of the army and the police force; it is their business to support organized institutions ...”

A couple of years later, a New York legislator announced that:

“The prime purpose of the public educational system is to prepare students in the public schools to assume the obligations and duties of citizenship in this State. The public school teacher is a representative and officer of the State *as it now exists*. He is employed by that state to teach loyalty to its institutions and obedience to its laws.”<sup>19</sup>

In the words of educational historian Samuel Blumenfeld, compulsory education

“appealed to the conservatives as a means of controlling the Catholic and foreign tide. It appealed to the socialists because it promised the creation of an instrument of central education policy in which a few could control the many. And it appealed to the educators because of its obvious economic and social benefits to themselves.”<sup>20</sup>

### Young Inmates Rebel

The present condition of the New York City schools, as barbed wire compounds where as many as 100,000 students refuse to show up every day and where armed guards patrol every movement between bathrooms and drinking fountains, is a testament to the logic of pretending to teach about the virtues of a “free society” through a system of compulsory attendance and compulsory financing. According to Rigganbach:

“The only thing that seems to have changed in the past 10 years is that the inmates, in growing numbers, have begun striking back ... more than 5000 public secondary school teachers are attacked by students every

month in this country — and about a thousand of them are seriously injured.”<sup>21</sup>

Despite these injuries to teachers, it is difficult to have much sympathy for people who choose an employer that forces students to accept their services. In true Nuremberg fashion, teachers claim that they are just carrying out the law, yet they certainly seem capable of going on strike when a change in the law affects their salaries.

John Holt, author of *How Children Fail*, observed that:

“Mom doesn’t want [the young people] around the house, the citizens do not want them out in the streets, and workers do not want them in the labor force. What then do we do with them? We put them in schools. They are a kind of day jail for kids.”<sup>22</sup>

If schools were really intended for attaining educational competence, then students would be encouraged to take a competency test at whatever age they are ready. But, according to Christopher Jencks, the development of competence is not the *real* function of the school. Says Jencks:

“The primary criterion for certifying a student is usually the amount of time he has spent in school, not the skills he has learned.”<sup>23</sup>

As a result, he has been kept out of the labor market throughout all the years of his youth and, upon graduation, he may *still* not have gained any competencies. Commenting about the 10,000 hours of forced non-learning, Jeff Rigganbach asserts that:

“This fact of imprisonment and obedience-training is at once justified and evaded by calling the prison a ‘school,’ the jailers ‘teachers,’ the prisoners ‘students,’ and the obedience-training ‘education.’ What students are taught ... is not reading, writing, and arithmetic; it’s docility, obedience, and the capacity to tolerate a life of stupefying boredom, monotonously performing meaningless routine tasks at the behest of another ...”<sup>24</sup>

There is mounting evidence that Rigganbach is right. Despite a national education budget in excess of \$100 billion,<sup>25</sup> experts say that:

“more than half the adult population could be considered functionally illiterate.”<sup>26</sup>

That is shocking when you consider that even the U.S. Bureau of the Census claims that the illiteracy rate in 1890 was less than 8% when barely half the population went to school.<sup>27</sup> In that century it was more commonly recognised that schools were only one of a multitude of places where learning took place. But today people frequently assume that learning *only* occurs in the uniform state approved schools.

### Educational Surrealism

Economics teachers today are occasionally given awards for *simulating* the marketplace in the classroom. Maths and English teachers are applauded for their *real life* class assignments. Students are given letter grades and paper stars to show how important rewards and achievement are to motivation. But the law prevents many young people from actually seeking what may be more appropriate training and learning experiences for their own lives. And when they are finally released from the public schools, millions of them flock to expensive vocational training schools to get the

training that they weren't allowed to get in the marketplace while they were growing up.

When the education establishment fails, it is typical of educators and parents alike to blame the young people for lack of discipline. Sweeping the nation is a new treatment for willful student disobedience — this is called “in-house suspension”. For those who marvel at the contemporary semantic genius that created such terms as “internal exile”, “re-education camps”, and “behavior modification centers”, then “in-house suspension” should send chills up the spine when considering what it prepares young people to accept in the future. This particular punishment frequently involves the placing of defiant young people in small, isolated, windowless rooms on the school grounds so that the administrators won't lose State funding for a drop in the body count. This method of funding makes a truant officer a kind of bounty hunter. And with the trend toward declining school enrolment, teachers have more time now to rotate in as guards. Since suspended students are not so embarrassingly visible to the community anymore, students can be “internally suspended” for an increasing number of minor offenses. At one school in Alaska, a school that reportedly used a janitorial closet for confinement, the teachers unanimously signed a petition to resist efforts to establish guidelines for disciplinary actions that they might take. The teachers preferred to retain “flexibility” in administering their punishments. What rulers throughout history haven't preferred such unrestrained authority?

The Alaska State Department of Education recently gave its revered MERIT award to one school for “in-house suspension” to “recognize and reward successful educational practices”. Of course, this is not an educational practice at all! It is a confinement practice! With education awards being given for creative confinement, it is quite obvious what the worsening trend will be for quite some time to come. It is argued that such an enforcement mechanism is necessary for the good and protection of the students. This, of course, is not a new argument. It has always been raised when advocating special wards, reservations, or camps for the powerless. It is an argument which has often rationalised the “adolescent” impulses of autocrats. One school board official told me that such programmes were necessary to keep young people in school so that they could learn right from wrong before going out into the world on their own. But perhaps these young people know better than their elders that the state is *not* an entity from which to learn morality. If anything, the state practices an immorality that far exceeds even the worst nightmares of the young.

### Learning Right From Wrong

While preparing for their careers, young people learn from the authorities that, when consumers are not interested in a product, it is perfectly alright to force them to pay for it and to force them to swallow it. What a virtuous model to imitate! In school, young people might study about how their parents face jail if they do not pay their taxes to subsidise tobacco farmers and to send tons of tobacco abroad under the Food for Peace program. At the same time they hear that their older brothers and sisters have been hauled off to jail in order to protect them from smoking marijuana. In economics class, young people might study about starvation throughout the world and how the Department of Agriculture has taken a quarter of all the American farm land out of production and has stored or thrown away millions of tons

of food in order to keep agricultural prices high. In political science class, young people might learn about the courageous Solidarity workers in Poland who were imprisoned because they refused to work when they were ordered to by the authorities. And from the isolation of “in-house suspension”, a student might sneak a look at a magazine that details the tragedy of prisoners of conscience around the world. Or they might pick up a history text and ponder the relevance of the Bill of Rights to their own condition.

Last year, officials in China and the U.S. expressed outrage that the history textbooks in Japan had been revised to re-interpret Japanese aggressions in a more favorable light. Yet according to the Indochina Curriculum Group in Cambridge, Massachusetts, much the same has been done in American textbooks.

“After every war in which the United States has fought, schools have been used to justify that war to the next generations. Textbook interpretations have stressed the necessity of our involvement and the correctness and morality of the United States' part in the war.”<sup>28</sup>

Until recently, textbook publishers in Texas were required to take a loyalty oath before their books could be marketed to the state's school system. And the Texas State House of Representatives issued a resolution urging that:

“the American history courses in the public schools emphasize in the textbooks our glowing and throbbing history of hearts and souls inspired by wonderful principles and traditions.”<sup>29</sup>

But there are plenty of reasons which might cause a student to wonder whether recent leaders have been applying those “wonderful principles and traditions”. For example, the National Taxpayers Union claims that the U.S. government has financed both sides of 14 different wars in the past 20 years. Must a young student be compelled to pledge allegiance to national leaders who would tax his parents and threaten to draft his older brothers to support such policies? Is this the morality that he or she should emulate? For a third of my life America has been openly at war — and I never once heard of a child dropping napalm on a village before the state trained him to do it.

More interesting to the student in the current events class might be the front page of the newspapers where the nation's leaders claim that the route to security and arms *reduction* in the world is through the most massive arms *build-up* in history. The student might then diligently turn to his English literature assignment and read about George Orwell's 1984 “doublethink”:

“War is Peace — Ignorance is Strength — Slavery is Freedom.”

Says Peter Breggin:

“A society whose children are raised without respect for their rights is a society whose children will grow up without a commitment to or understanding of rights in general. An assault on the rights of children prepares us for generations of adults who will have reached maturity in relative unawareness of their own rights or the rights of others in society.”<sup>30</sup>

## Eight Principles for Youth Rights

To rectify this tragic condition of young people, it is absolutely necessary to recognise that young people are human beings and, as such, have the same rights as every other human being.

More specifically, many laws must be changed or terminated, including:

1. Laws governing the distribution and advertising of contraceptives;
2. Laws preventing or restricting the transfer of the young by adoption;
3. Laws preventing young people from selecting guardians of their own choosing;
4. Laws establishing status offenses that are crimes for young people only;
5. Laws preventing young people from working and laws mandating minimum wages;
6. Laws that compel school attendance and public school financing;
7. Laws that restrict the establishment of private alternative schools or home learning;
8. Laws that deny fundamental protections against involuntary commitment to mental or correctional institutions.

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