

Human Rights Court Rules Against Parental Rights

Decades ago, when I was first ordained a priest, I shared a prejudice that many people hold: I thought homeschooling families were odd. I believed schooling children at home deprived such children of opportunities to be with other children causing them to be less able to communicate with others, socially awkward, and reclusive and narrow in their experience and understanding of the world that they would one day have to grow up in and navigate.

That was until I actually met home schooling families. This happened when I was serving in a chapel that had daily Masses serving largely downtown workers. Most of those coming were business people who would come either before they went to work or during their lunch hours. Among my congregants was a mother with three young children who would come regularly. Aside from the regular fussiness of children being asked to sit quietly for a thirty minute service, I was impressed at how attentive and well-behaved the children were.

It was my custom during those years to welcome people as they entered the chapel and to greet them once again at the conclusion of liturgies. This afforded me the opportunity to get to know, even if only slightly, this family.

One day as the little gaggle entered the chapel I greeted them and noticed that one of the little boys—perhaps six or seven years old—was holding a napkin in his hand with something folded into it.

“What have you got there?” I asked.

Beaming with pride, he extended his hand to me and unfolded the napkin to reveal a hideous, almost prehistoric looking insect, lying dead on the crease.

I suspected he could see the horror in my face but he simply said, "This is a Tettigarctidae," pronouncing the word precisely, "Homer writes about them in the Iliad. They are very interesting because they hibernate for long periods of time before emerging."

"How interesting," I said, "I've never heard of them before... Well, let's begin Mass then, shall we?"

A day or so later I received a letter, addressed to me in childish handwriting, in my mailbox.

"Dear Fr. Sirico," it read, "I must apologize for the mistaken information I gave you the other day before Mass. The bug that I found was not really a Tettigarctidae. I took the bug home and looked in our books and found that it was really a Cicadidae which is related to the Tettigarctidae. They are very similar, but the Tettigarctidae are only found in Australia. The Cicadidae are in America. Sorry about the confusion."

My first reaction was to bust out laughing; but my second reaction was wonderment. As time passed I was extended an invitation to dinner at this family's home to meet the father of these children. I spent a lovely evening conversing with the whole family—not just the adults—about a wide range of things.

Perhaps what left the deepest impression on me that evening was the relaxed intelligent conversation I was having with children who looked me straight in the eye, asked me questions, and listened to my replies. I felt free to ask about their philosophy of homeschooling and why they chose to make such a serious counter cultural commitment to it. I also mentioned my curiosity about the insect research.

The mother helped me to understand that education was only part of the broader formation of her children's lives. Life is filled with opportunities for learning, like the discovery of the bug on the way to church, and the discovery of what

specific type it, in fact, was.

I was amazed and frankly embarrassed that something so simple and natural had escaped my grasp until getting to know that family.

All of this came to mind when I [read of the recent ruling by the European Court of Human Rights that the parental rights of two homeschooling German parents were not violated](#) when:

In August 2013, a group of at least 20 police officers and social workers raided the Wunderlich home and took away their four children. ADF International, the legal group representing the parents, claimed that the action left the family traumatized.

The children were placed in a children's home for three weeks. Though they were eventually returned to their parents, their legal status was not clear. The children were enrolled in a school from 2013 to 2014.

Homeschooling has been illegal in Germany since 1918 and the Court ruled that:

"Based on the information available at the time, the domestic authorities had reasonably assumed that the children were isolated, had had no contact with anyone outside of the family, and that a risk to their physical integrity had existed," the court said.

The court acknowledged that the parents later submitted learning assessments showing that the children had "sufficient knowledge, social skills and a loving relationship with their parents," but this information was not available to officials when they decided to withdraw parental custody in a temporary and partial manner.

In other words, the state acted out of ignorance

presumptuously seizing children from their home. And yet a court, allegedly dedicated to human rights, has ruled the parent's rights were not violated? When the state can seize healthy, social, and intelligent children from loving parents simply for educating their children according to their conscience no rights worth the name exist.

Parents have a natural right and responsibility to raise and educate their children, not the state. It is also parents who know best the needs of their children and who have the greatest incentive to make positive choices for their formation, not politicians and meddling bureaucrats.

Not all families are willing or able to effectively home school their children but, when many of our schools struggle to form children intellectually and morally, homeschooling parents who choose to make that commitment should be applauded for their effort and not presumed guilty of negligence.

I shudder to think what might have happened to that first homeschooling family I met had they lived in Germany. Would they too have had their children taken from them? I have stayed in touch with this family all these years and watched these children grow up. The two little boys are now both physicians and fine young men. Homeschooling was a blessing to this family, a blessing that allowed them to be a blessing to each other, and which equipped them to be a greater blessing to the world.

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