

PROPOSED DEPARTMENT OF EDUCATION

JOINT HEARINGS

BEFORE THE

**COMMITTEE ON EDUCATION AND LABOR
UNITED STATES SENATE**

AND

**THE COMMITTEE ON EDUCATION
HOUSE OF REPRESENTATIVES**

SIXTY-NINTH CONGRESS

FIRST SESSION

ON

S. 291 and H. R. 5000

BILLS TO CREATE A DEPARTMENT OF EDUCATION
AND FOR OTHER PURPOSES, AND

S. 2841

A BILL TO CREATE A DEPARTMENT OF PUBLIC EDUCATION
TO AUTHORIZE APPROPRIATIONS FOR THE CONDUCT
AND MAINTENANCE OF SAID DEPARTMENT
AND FOR OTHER PURPOSES

FEBRUARY 24, 25, AND 26, 1926

Printed for the use of the Committee on Education and Labor



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THURSDAY, FEBRUARY 25, 1926

CONGRESS OF THE UNITED STATES,
SENATE COMMITTEE ON EDUCATION AND LABOR,
HOUSE COMMITTEE ON EDUCATION.

Washington, D. C.

The committee met, pursuant to adjournment, at 10 o'clock a. m., Senator Lawrence C. Phipps presiding.

Present: Senators Phipps (chairman), Ferris, Copeland, and Brookhart, of the Senate Committee, and Messrs. Reed of New York, Robsion, Holaday, Lowrey, Black of New York, and Fletcher, of the House committee.

Senator PHIPPS. The committee will be in order. We will hear first from Dr. J. Gresham Machen, of Princeton Theological Seminary.

STATEMENT OF DR. J. GRESHAM MACHEN

Doctor MACHEN. Mr. Chairman and gentlemen of the committee, there are two reasons why a man may be opposed to a bill which is introduced in Congress. One reason is that he thinks it will not accomplish its purpose. The other reason is that he thinks that the purpose that it is intended to accomplish is an evil purpose.

It is for the latter reason that I am opposed to the bill which forms the subject of this hearing. The purpose of the bill is made explicit in the revised form of it which has been offered by Senator Means, in which it is expressly said that the department of public education, with the assistance of the advisory board to be created, shall attempt to develop a more uniform and efficient system of public common school education. The department of education, according to that bill, is to promote uniformity in education. That uniformity in education under central control it seems to me is the worst fate into which any country can fall. That purpose I think is implicit also in the other form of the bill, and it is because that is the very purpose of the bill that I am opposed to it.

This bill, I think, can not be understood unless it is taken in connection with certain other measures of similar kind which have been proposed in the last few years; in the first place, of course, the so-called child-labor amendment to the Constitution of the United States, which I think was one of the most cruel and heartless measures that have ever been proposed in the name of philanthropy, which is saying a good deal. Another similar measure, of course, is the bill which has now been introduced, I believe, and which has appeared a number of times during the last few years, establishing in a very radical way a system of Federal aid to the States, with conditions on which this aid is to be received. It is perfectly clear, of course, that if any such principle of Federal aid in education is established,

the individual liberty of the States is gone, because I think we can lay it down as a general rule, with which everyone who has examined the course of education recently will agree, that money given for education, no matter what people say, always has a string tied to it. That appears in gifts of money by private foundations, and it appears far more, of course, when the gift comes from the Federal Government, which has already been encroaching to such an extent upon the powers of the States. But this bill establishing a Federal department of education, which has in it the principle of Federal aid, is a step and a very decisive step in exactly the same direction, and it is for that reason that we think it is to be opposed.

It is to be opposed, we think, because it represents a tendency which is no new thing, but has been in the world for at least 2,300 years, which seems to be opposed to the whole principle of liberty for which our country stands. It is the notion that education is an affair essentially of the State; that the children of the State must be educated for the benefit of the State; that idiosyncrasies should be avoided, and the State should devise that method of education which will best promote the welfare of the State.

That principle was put in classic form in ancient Greece in the Republic of Plato. It was put into operation, with very disastrous results in some of the Greek States. It has been in the world ever since as the chief enemy of human liberty. It appears in the world to-day. There are many apostles of it, such as Mr. H. G. Wells, for example. I suppose the root of his popular *Outline of History* is that with our modern methods of communication we can accomplish what the Roman Empire could not accomplish, because we can place education under the control of the State, and, avoiding such nonsense as literary education and the study of the classics, etc., can produce a strong unified state by having the State take up the business of education.

The same principle, of course, appears in practice in other countries in modern times, at its highest development in Germany, in disastrous form in soviet Russia. It is the same idea. To that idea our notion has been diametrically opposed, and if you read the history of our race I think you will discover that our notion has been that parents have a right to educate children as they please; that idiosyncrasies should not be avoided; that the State should prevent one group from tyrannizing over another, and that education is essentially not a matter of the State at all.

The principle of this bill, and the principle of all the advocates of it, is that standardization in education is a good thing. I do not think a person can read the literature of advocates of measures of this sort without seeing that that is taken almost without argument as a matter of course, that standardization in education is a good thing. Now, I am perfectly ready to admit that standardization in some spheres is a good thing. It is a good thing in the making of Ford cars; but just because it is a good thing in the making of Ford cars it is a bad thing in the making of human beings, for the reason that a Ford car is a machine and a human being is a person. But a great many educators today deny the distinction between the two, and that is the gist of the whole matter. The persons to whom I refer are those who hold the theory that the human race has now got

behind the scenes, that it has got at the secrets of human behavior, that it has pulled off the trappings with which human actors formerly moved upon the scene of life, and has discovered that art and poetry and beauty and morality are delusions, and that mechanism really rules all. I think it is very interesting to observe how widespread that theory is in the education of the present day.

Sometimes the theory is held consciously. But the theory is much more operative because it is being put into operation by people who have not the slightest notion of what the ultimate source of its introduction into the sphere of education is. In this sphere we find an absolute refutation of the notion that philosophy has no effect upon life. On the contrary, a false philosophy, a false view of what life is, is made operative in the world today in the sphere of education through great hosts of teachers who have not the slightest notion of what the ultimate meaning is of the methods that they are putting into effect all the time.

For my part, I can not bring myself to think, with these persons, that the lower things in human life are the only things that remain, and that all the higher things are delusions; and so I do not adhere to this theory. And for that reason I do not believe that we ought to adopt this principle of standardization in education, which is writ so large in this bill; because standardization, it seems to me, destroys the personal character of human life.

The aim in the making of Ford cars is to make every one just as much like every other one as possible; but the aim in education is to make human beings just as much unlike one another as possible. I admit that the aim in the case of Ford cars is not always attained very well. The removal of idiosyncrasies in Ford cars is not always perfectly carried out. I can say from my experience with Ford cars before the days of self-starters that sometimes they have a good deal of individuality. I learned that sometimes a Ford car will start and sometimes it will not start, and if it will not start there is no use in giving it any spiritual advice at all. Sometimes, despite everything that Mr. Ford can do, there is too much individuality in a Ford car; but the *purpose* is to make every one just as much like every other one as possible. That is the purpose of a great many educators when it comes to education to-day, and it is the purpose that underlies the tendency in this bill. It is to remove idiosyncrasies, to interfere with people who have peculiar ideas in education, and to try to produce a uniformity of education in this country.

I do not believe that the personal, free, individual character of education can be preserved when you have a Federal department laying down standards of education which become more or less mandatory to the whole country. Of course, there are people who say that a Federal department does not mean anything. They say, that when they talk to men of our way of thinking. A good many people seem to have the notion that a Federal department, like the House of Lords during the Napoleonic wars, will "do nothing in particular and do it very well"; but for my part I do not believe, when you get a department with a secretary who has a salary of \$15,000 and a great many secretaries under him, and when you get this dignity of a department, that you are going to find that that department is going to be very modest about the funds for which it asks.

I think it is perfectly plain that we are embarking on a policy here which can not be reversed when it is once embarked upon. It is very much easier to prevent the formation of some agency that may be thought to be unfortunate than it is to destroy it after it is once formed. Now, I think, is the decisive time to settle this question whether we want the principle for which this department will stand.

But at that point, of course, there may be an objection. People will say: "Why, you have been arguing for individual liberty in education, and the right of individual parents to educate their children as they please, and all that; but is not that interfered with already by the States, and is not this bill the same in principle as the control of education by the individual States which we already have?" I am perfectly ready to admit that there have been grievous sins in the sphere of education on the part of individual States. We need only think of the Oregon school law, which actually attempted to take children forcibly from their parents and put them under the despotic control of whatever superintendent of education happened to be in power in the district where the parents resided. We need think only of the Nebraska language law, which was similar to laws in other States, which actually prevented, even in private schools, the study of languages until the children are at an age when every teacher knows they are too old ever to learn language well. It actually, therefore, made literary education—which most certainly is not overdone in this country—a crime. Finally we need only think of the Lusk laws of the State of New York, one of which actually provided that every teacher in a course of instruction, public or private, formal or informal, should take out a State license and be subject to State visitation and control.

I am perfectly ready to admit that no interference with liberty could possibly be more complete than measures such as those; but the fate of those measures is very instructive for the question with which we are dealing. The Lusk laws were repealed. The Oregon school law and the Nebraska language law fell before that last bulwark of our liberties, the United States Supreme Court, which may God protect; and Justice McReynolds said, in the Oregon school case, that the child is not the mere creature of the State. And in that principle there lies everything for which we are contending to-day.

Then in the States there is a great safeguard in numbers. There are 48 States at this time, and they are very different. So although it is perfectly conceivable that one State may go very bad, it is not, perhaps, likely that all of them will go utterly bad. There is great safety in numbers; and therefore I hold that the control of education by the Federal Government is very different in principle from the control that is already exercised by the States, because the control by the States can be checked better in a constitutional way than control by the Federal Government, and also because there is a great difference in principle between having control by one central authority and control by a great many different sources of authority.

But it will be said: "Why, do you actually mean that we should have these 48 States, each with its own separate system of education, and a lot of crazy private schools and church schools?" Why, people tell us we shall make a perfect mess of it if we have any such education as that. Well, I say, with respect to that, that I hope

with all my might that we may go on making a mess of it. I had a great deal rather have confusion in the sphere of education than intellectual and spiritual death; and out of that "mess," as they call it—we call it liberty—there has come every fine thing that we have in our race to-day.

But then people say: "What is going to become of the matter of equal opportunity? Here you have some States providing inferior opportunities to others, and the principle of equal opportunity demands Federal aid." I may say, Mr. Chairman, with regard to this matter of equal opportunity, that I am dead opposed to it—dead opposed to the principle of equal opportunity. What shall be done with a State that provides opportunity for its children inferior to that provided by other States? Should the people of that State be told that it makes absolutely no difference, that Washington will do it if the State does not do it? I think not. I think we are encouraging an entirely false attitude of mind on the part of individual parents and on the part of individual States if we say that it makes no difference how responsibilities are met.

I believe that in the sphere of the mind we should have absolutely unlimited competition. There are certain spheres where competition may have to be checked, but not when it comes to the sphere of the mind; and it seems to me that we ought to have this state of affairs: That every State should be faced by the unlimited competition in this sphere of other States; that each one should try to provide the best for its children that it possibly can; and, above all, that all public education should be kept healthy at every moment by the absolutely free competition of private schools and church schools.

A public education that is faced by such competition is a beneficent result of modern life; but a public education that is not faced by such competition of private schools is one of the deadliest enemies to liberty that has ever been devised.

Unlimited competition, I think, should be the rule. We already have interchange of ideas in this country. We do not need what George Washington wanted, a national university, because we have both the ends that he desired to accomplish by a national university. You need only to look at the list of students in any of our great institutions in order to see that they come from all over this country. There is that interchange of ideas of which he spoke. And we have also universities in this country that do not make it necessary for anyone to go to Europe to get an education, as he said. If we had no universities, we might want a national agency in education, but we have universities, and we do not want to spoil the agencies that we already have—as the erection of a Federal department would check and spoil them in very many ways.

But then people say: "You know that this Federal department of education is in the interest of efficiency." They are always flinging that word "efficiency" at us as though when that word is spoken all argument at once is checked. Well, of course, "efficiency" just means doing things, and I think the important thing to know is whether the things that are being done are good or bad. If the things that are being done by any agency are good, I am in favor of efficiency; but if the things that are being done by the agency are bad, the less efficiency it has the better it suits me.

I think probably most of us have heard the story of the tramp who got up to the third floor of the department store. The floor-walker on the third floor kicked him down to the second floor, where he fell foul of the floorwalker on the second floor, who kicked him down to the floorwalker on the first floor, and the floorwalker on the first floor kicked him out on the sidewalk. He landed on his back, and got up and said in a tone of deep admiration, "My! What a system." [Laughter.] Now, I am unable to develop the complete detachment or objectivity which was developed by that tramp. I am unable to admire efficiency when it is directed to an end which works harm to me; and the end of the efficiency of a Federal department of education would be the worst kind of slavery that could possibly be devised—a slavery in the sphere of the mind.

Of course, too, I might argue that Federal bureaus, when they have become overgrown, as they are now, are hardly very efficient agencies. In fact, I am inclined to think that they are the most inefficient agencies that can be found anywhere on the face of the planet. They are discouraging activities by other agencies which would perform the work a great deal better, even where harm is not done, as it is in this sphere, by the existence of the agency itself.

But even if Federal bureaus were the most efficient agencies that history has even seen, I should still be opposed all the more to this Federal department of education, because the result that it is aiming to accomplish is a thing that I hold to be bad, namely, slavery.

A great many educators, I think, have this notion that it is important to be doing something, to be going somewhere. They are interested in progress, and they do not seem to care very much in what direction the progress is being made. It is like a man who goes into the Union Station here, where all the trains start out the same way, and he gets through the gate somehow and sees a train that looks beautiful; it has a lovely observation car on it, and he gets on. When I do that, my ticket reads to Princeton. I get on this lovely train, and when it gets out of the station after half an hour the conductor comes through the train and looks at my ticket, and says: "Your ticket reads to Princeton, N. J., and we are bound for the West, and our first stop is Cumberland." I say: "Well, that makes no difference to me. This is a perfectly lovely train, and I am so glad to be on it; and which way is the dining car?"—and I just stay on it, and do not care where I am going.

That is exactly the way, it seems to me, with these people who, in the sphere of education, feel that if you call a thing a department of education, and try to spend money for education as you are spending it for battleships, somehow that is an advantage. It depends on the direction in which you are moving.

So that I find in this bill a decisive step in a direction where the progress, if persisted in, will lead to disaster; and what I am hoping for is not merely that this bill may be defeated, but that this whole tendency, gentlemen, may be checked. I think that is the important thing.

Mr. ROBSON. What do you refer to when you say "the whole tendency"?

Doctor MACHEN. The whole tendency toward uniformity in the sphere of education, and the whole principle of a central control as over against individual responsibility.

Mr. ROBSION. Do you object, then, to the activities of the Federal Government in the way of Federal aid to roads and to agriculture and to commerce and to labor?

Doctor MACHEN. I object in general to the principle of Federal aid; yes, sir.

Mr. ROBSION. I mean, to the activities of the Federal Government in agriculture and roads and commerce and labor?

Doctor MACHEN. I do in general. Of course, a line has to be drawn. The Federal Government has a right to regulate interstate commerce. There are certain powers that are delegated to it definitely by the Constitution, and I do not desire to speak about other subjects; but in general I am opposed, sir, to the principle of Federal aid in the spheres where the States are really in control.

Mr. ROBSION. In agriculture the activities of the Federal Government may have no relation to interstate commerce, but be directed to other matters.

Doctor MACHEN. I am opposed, sir, to the extension of the operation of the principle of Federal aid. I think that it has clearly gone too far even in other spheres; that it has clearly gone too far, and that it should be checked. But I do not desire to speak about other spheres. I am talking specifically about the sphere of education, and in that sphere the principle of limitation of competition, etc., as I have tried to explain, does not come in. In that sphere, I think, we should absolutely avoid the principle of Federal aid.

Senator PHIPPS. Doctor Machen, you are connected with the Princeton Theological Seminary. That is denominational; is it?

Doctor MACHEN. Yes, sir.

Senator PHIPPS. Which denomination is it?

Doctor MACHEN. It belongs to the Presbyterian church.

Senator PHIPPS. Reverting to your illustration of the Ford car, what has been the result of the plan adopted by the English schools for boys, such as Eaton and Rugby? Does it turn out boys all of the same type, all of the same mold, or does that system take away from their individuality?

Doctor MACHEN. I am not prepared to speak about the English public-school system, sir, because I do not know enough about it. I am not prepared to say how far it is monopolistic. I am prepared to say that I think that any central activities in Great Britain are no precedent whatever for central activities in this country. I believe with all my soul in the principle for this country of the division of power between the States and the Federal Government; and it is a very different matter, I think, when you deal with a country such as Great Britain. I do feel, sir, that it is plain that in Great Britain there is very great danger, because of present economic pressure, of the destruction of all of those principles of individual liberty which have made Great Britain great. They have the terrible evils of the present time; and it seems to me that in this country, where we have not the economic pressure, it is for us for the moment, where necessity is not upon us, to go straight on the road of individual freedom; not to be in a panic or turned aside from it.

Senator PHIPPS. Are there any further questions to be put to the witness?

Mr. LOWREY. I should like to ask some questions, Mr. Chairman. Doctor, are you a member of the National Education Association that is meeting here?

Doctor MACHEN. No, sir.

Mr. LOWREY. Were you at the meeting when the resolution was passed in favor of this bill?

Doctor MACHEN. No, sir; I was not. I have only read about it in the newspapers.

Mr. LOWREY. The question I intended to ask is about a matter that has puzzled me somewhat. It seems that the resolution was passed unanimously, and now I am finding a great many who are saying, "I am opposed to it, but I did not vote against it." I think not less than 8 or 10 educators have expressed definitely to me their opposition to it and yet say, "I did not vote that way." I do not see why the fight was not made there if there was strength of opposition. I do not see why some of those men who have said that so definitely to me did not make the fight.

Doctor MACHEN. It is a very strange thing to me that that is not done. A great many men feel that there is no use in voting against a thing unless you can defeat it. I do not feel that way. I think it is a very important thing to vote exactly in accordance with your conscience, quite irrespective of the immediate success of your vote in your dealing with that measure.

Mr. HOLADAY. Doctor, do you feel that at any time in the past the present Bureau of Education has directly or indirectly interfered with the operation of the school with which you are connected?

Doctor MACHEN. No, sir; I do not think that there is anything to be said definitely with respect to the theological school with which I am connected.

Mr. HOLADAY. Do you know whether or not the Bureau of Education has ever interfered, directly or indirectly, with the operation of any private or church school?

Doctor MACHEN. I have not the evidence before me. I myself am inclined to think that the classification of colleges which has been proposed by it is unfortunate, and I believe that the vast enlargement of such activities by a department of education would be dangerous; but I am not in the present hearing at all personally interested with respect to my activities in the institution with which I am connected.

With respect to the future, I do feel, sir, that I am contending for a principle which is absolutely necessary to the principle of religious liberty. There are in the sphere of education tendencies which are directly opposed to religious liberty, such as the effort to produce a system of morality codes, etc., in the public schools; and the whole notion that the function of the public school is to be enlarged it seems to me is inimical to the principle of parental authority, and is very dangerous. The proper tendency, it seems to me, would be to diminish rather than to increase the function of the public school, and to place the responsibility for the moral and religious training of children exactly where it belongs, upon the individual parents. There is a tendency there which I think is dangerous; and the tendency of those who advocate this bill, with their desire that there shall be a dignity given to public education under central control which

it does not now possess, that its function shall be enlarged, if continued I think will be inimical in the most thoroughgoing way to religious liberty.

Mr. REED of New York. Doctor, may I ask you a question? Carrying out your principle, if it were left to you, would you abolish the present Bureau of Education entirely?

Doctor MACHEN. I could not say that definitely until I examine in detail, sir, all of the functions of the present Bureau of Education. It is perfectly obvious that the Federal Government has some functions in the sphere of education, for instance in the District of Columbia; and I should have to inform myself more particularly before I could answer that question. But I do advocate the abolition of certain functions of the present Bureau of Education, its activities as a general agency in the guidance of the States in their own individual affairs. I think that there are activities which would far better be avoided; but I can not make so sweeping an assertion as that I should advocate the abolition of the Bureau of Education without examining all of its functions.

Mr. REED of New York. I know that you are sincere in opposing it on principle, not only in education, but in other activities. For instance, we will take the Department of Agriculture. Carrying out your principle, if you had the right to do it, would you be in favor of eliminating Federal aid in the Agricultural Department?

Doctor MACHEN. I think this is to be said—that when you eliminate an agency which has long been in operation you are doing something more serious than the avoidance of an entrance upon those activities; and I should have to examine the dangers which might result from the sudden elimination of such activities in the sphere of agriculture. I do feel, however, that there is a difference between the sphere of education and those other spheres. As I say, I think that when it comes to the training of human beings, you have to be a great deal more careful than you do in other spheres about preservation of the right of individual liberty and the principle of individual responsibility; and I think we ought to be plain about this—that unless we preserve the principles of liberty in this department there is no use in trying to preserve them anywhere else. If you give the bureaucrats the children, you might as well give them everything else as well. [Applause.]

So that it does seem to me we are dealing with the most important part of human life when we are dealing with education, and we are dealing with a sphere where analogies drawn from mechanical spheres are very dangerous; and yet I am opposed in general to the notion that even in other spheres we should develop the principle that if someone else does not do it, Washington will always step in and do it. I think that is opposed to an economical conduct of life; it is working great moral harm to our people in many other spheres; but the exact limits of the activities of the Federal Government constitute a question with which I am not now attempting to deal.

I have tried to observe, in the sphere of education, the results of the present tendency toward standardization, and I think those results are lamentable. I think we are having to-day a very marked intellectual as well as moral decline through the gradual extension of this principle of standardization in education. People are ready

to admit to some extent that there is a sort of moral decline, but what is not always observed is that there is a terrible intellectual decline, and that intellectual decline comes through the development of this principle of unification and standardization to which I object; for I think that in the sphere of education uniformly always means not something uniformly high but something uniformly low.

Mr. HOLADAY. Doctor, I understood you to say that in your opinion the public schools have already gone too far in moral teaching. I should like a little further information about your ideas on that question.

Doctor MACHEN. I am not sufficiently familiar with the actual working out of these proposals in detail; but I am opposed in general to the morality codes which have been proposed here in Washington, for example, which represent morality as the result of human experience, and so seem to me to undermine the very basis of morality and to be producing moral decline. My position with regard to moral and religious training in its connection with the State is rather simple. I think it is a very good thing if the public schools release children at convenient hours during the week for religious training, but I am absolutely opposed to any granting of school credit for work done in those hours, to the slightest scrutiny of attendance or of the standards of instruction, or anything of the kind; and I hold that the solution of our difficulties is in the restriction in general of the public schools to their function of imparting knowledge, and the gradual production in the minds of our people of the notion that moral and religious training is a responsibility of the parents and not of the State.

I do not know, sir, whether that answers your question.

Mr. HOLADAY. I think so.

Mr. ROBSION. Mr. Chairman, I should like to ask the witness a few questions.

What is the nature of your work at Princeton?

Doctor MACHEN. I am a professor in Princeton Theological Seminary, which is an institution for the training of ministers.

Mr. ROBSION. I understand that, but what is your particular work in that institution?

Doctor MACHEN. I am a teacher in the New Testament department.

Mr. ROBSION. Have you ever had any experience in teaching in the public schools?

Doctor MACHEN. No, sir. I have had an experience of the result of such activities—a rather wide experience.

Mr. ROBSION. Have you ever had any experience in directing the public-school work of any community or State?

Doctor MACHEN. No, sir.

Mr. ROBSION. Your fear is that this department of education would have a tendency to federalize or centralize and enslave the public-school system of the Nation?

Doctor MACHEN. Yes, sir.

Mr. ROBSION. And then I take it, as a logical result or sequence, that you are opposed to the present Bureau of Education in so far as it acts as a fact-finding organization, or gives leadership and stimulation, or undertakes to do so, to the public-school work of the Nation?

DOCTOR MACHEN. I am not entirely prepared to answer that question categorically.

MR. ROBSION. I mean, outside the District of Columbia.

DOCTOR MACHEN. There are a good many functions in the sphere of education which legitimately belong to the Federal Government; but I am opposed to the extension of an agency which assists the States and assists private individuals, or a Federal agency even in the spheres about which you are speaking.

MR. ROBSION. So that we may understand each other and so that we may understand your testimony, what spheres do you think are properly occupied by the Federal Government, or could be, so far as its relations to the public schools in the States, outside of the District of Columbia, are concerned?

DOCTOR MACHEN. I am inclined to think that it would have been better if it had not entered on that field at all.

MR. ROBSION. No; you said you were in favor of some things. I want to know what those things are.

DOCTOR MACHEN. I mentioned one—the District of Columbia.

MR. ROBSION. Outside of the District of Columbia? We make laws here for the District of Columbia, and make the laws of the Federal Government.

DOCTOR MACHEN. I hate to speak about a subject where I have not all of the facts in hand, and I am not speaking in general about detailed activities of the Federal Bureau of Education. Until I am asked about every one of those activities separately I should not like to make general statements about them.

MR. ROBSION. But your statement was, if I understood you, that you thought there were spheres in which the Federal Government could and should properly participate in public education outside of the District of Columbia. My inquiry is, What are those spheres? What should it do properly?

DOCTOR MACHEN. Well, sir, I do not feel that I can undertake the rather difficult duty of mapping a program for a Federal agency. I am speaking only in opposition to something. I am not speaking in favor of other things or mapping out a legitimate program.

MR. ROBSION. But I asked that question because of your statement that the Federal Government had proper spheres in public education outside of the District of Columbia. I am merely inquiring: what are those spheres, in your mind?

DOCTOR MACHEN. I do not know that I made that assertion, sir—that the Federal Government has proper spheres for education outside of the District of Columbia. I am not saying that it has not, and I am not saying that it has, sir.

MR. ROBSION. Then you have not made sufficient investigation to know whether these activities of the Bureau of Education have been helpful or harmful to the public schools of the Nation? Is not that your position?

DOCTOR MACHEN. I think it is quite possible that some of those activities have been helpful; but I am opposed to the increase of the functions of this Federal agency because that increase is distinctly in the interest of a general aid carried on by the Federal Government in the sphere of the individual States, and I am sorry that such a Federal agency is already in existence. I am sorry that that part

of Federal activities has already begun. I think it is perfectly proper for the Federal Government to maintain here in Washington certain museums and certain agencies for education in the National Capital. I think a good many of those activities may be of benefit to the people of the whole country, and I am not attempting to draw the line in any clear way.

Mr. ROBSION. Now, if I understand you, if you are sorry that there is a Bureau of Education here in Washington, then it follows that your mind tells you that it ought to be abolished; and then, further, if you do not know the activities of the Bureau of Education here and its relation to the public schools and public education of the country, how can you say that an enlargement of this bureau would be harmful or helpful?

Doctor MACHEN. I am opposed to it, as I tried to explain, sir, in principle.

Mr. ROBSION. I know you said you are opposed to it.

Doctor MACHEN. I am opposed to the principle of Federal aid, and I am opposed to the activities of the Federal bureau where they involve the laying down of standards of education—of certain standards for colleges, for example. I think that is an unfortunate thing. I think it is very much better to have men who are engaged in education examine methods of education, examine standards, rather than to have such agencies of research come before the people with the authority of the Federal Government, with the fear at all times that we shall have an agitation to compel schools to maintain those standards. We have very frequently the principle that the States are to be allowed to do this and that; but if they do not maintain certain standards which have been laid down by Federal agencies of research, they should then be compelled to do it by some sort of an amendment to the Constitution or the like.

Mr. ROBSION. I want you to point out what section of this bill in your opinion would give the Federal Government control or direction of any public school or, for that matter, any private school in any State or community.

Doctor MACHEN. This provision at the beginning of it—that there is established at the seat of Government an executive department to be known as the department of education. That I think, establishes an extent of Federal activity in principle which will be deleterious, which will lead to a great many activities in the future. If you have a Federal department of education that has a place in the Cabinet, you have a department which is going to extend constantly its activities and is going to ask for more and more funds. We have, of course, an illustration of this in the extremely radical bill which is now in Congress which would extend this principle of Federal aid to the States and which lays down the conditions upon which that Federal aid is to be received. That has always been in connection with this demand for the establishment of a Federal department of education, and I think it is in organic connection with it. The very establishment of a Federal department of education, I think, is dangerous, because it will lead to such measures as those which have been proposed for a great many years, which provide for Federal aid on a large scale.

Mr. ROBSION. Do you believe that Congress has the power to pass any law that would give the Federal Government control of the public schools in any State?

Doctor MACHEN. I think the powers of the Federal Government in this respect under the Constitution may be doubtful; but I think that there are indirect ways of establishing this unification which are very effective and which are very disastrous.

Now, of course there is another specific portion of this bill which provides for the activities to which I object:

The department of education shall collect such statistics and facts as shall show the condition and progress of education in the several States and in foreign countries—

And so forth. And then there is assistance in devising methods of operation.

In the revised form of this bill, Senate bill 2841, we have, as I say, the purpose of such activity explicitly stated—

Senator COPELAND. Where is that?

Doctor MACHEN. It is section 5 of Senate bill 2841:

The department of education shall, * * * with the consent of the advisory board hereafter mentioned, attempt developing a more uniform and efficient system of public common-school education.

I am opposed to a more uniform system of public common-school education. That is explicit in this revised form of the bill, and I think it is clearly implicit in the section to which I have referred.

Mr. ROBSION. There is nothing compulsory there. It would merely mean that it would be suggestive—nothing more. It would not be compulsory. There is nothing compulsory there, is there?

Doctor MACHEN. There is nothing compulsory in form, but I think there is an establishment of uniformity which has already gone to disastrous lengths in this country, and the encouragement of which I think is a very unfortunate thing. The proper way in which suggestions as to educational standards should come before the authorities of schools is without the extraneous authority of the Federal Government, which, because of the tendency which has been operative in recent years, is far more than merely advisory; it contains all the time an implied threat, you see, and for that reason is very unfortunate.

Senator FERRIS. I should like to ask one question.

Senator PHIPPS. Certainly, Senator.

Senator FERRIS. For my own information I wish to ask what you regard as the basic element or elements in moral conduct. Perhaps that is a foolish question.

Doctor MACHEN. The basic elements in moral conduct?

Senator FERRIS. Yes, sir. What is the basis. I judge from your remarks that experience received minor consideration.

Doctor MACHEN. Yes, sir—Well, I am an adherent of a certain religious group. We have our definite notion as to the basis of morality, and it is in my belief altogether a religious one. I intend to proclaim that basis of morality in the will of God as revealed by God, and I am interested in the right of all others to maintain that as the only basis of morality. I belong to what is often called a very strict sect, the Presbyterian Church, but it is a sect which has always been devoted to the principles of liberty; and I am un-

like a great many of my fellow citizens—tolerance to me means not only tolerance for that with which I am agreed, but it means also tolerance for that to which I am most violently opposed.

I was thoroughly opposed, for example, to the Lusk laws in the State of New York which were intended to bring about the closing of the Rand School in the city of New York. I can not imagine anything more harmful than the Rand School; there is nothing to which I am more opposed, which I think more subversive of morality; and yet I was absolutely opposed to any such law as that. I believe in liberty, and, therefore, when I believe I have a right to proclaim the basis of morality which I think is only in the will of God, I also claim the right for other persons to proclaim whatever else they may hold with regard to it. But to proclaim in our public schools that morality is only the result of human experimentation—"this is the conduct which Uncle Sam has found in the course of American history to be right"—that, I think, is subversive of morality; and I do not believe that anyone can encourage moral conduct in others unless he has first in his own mind the notion of an absolute distinction and not a merely relative distinction between right and wrong.

I do not know whether that at all answers your question.

Senator FERRIS. I am just wondering whether there is any such thing as moral conduct in the United States Congress or among the citizens of the United States apart from a distinctively religious basis. I am just wondering whether the public schools have any function in the way of teaching morality which is not distinctively religious in its basic idea.

Doctor MACHEN. I think that the solution lies not in a theoretic teaching in the public schools as to the basis of morality, because I do not think you can keep that free from religious questions; but I do hold that a teacher who himself or herself is imbued with the absolute distinction between right and wrong can maintain the moral standing, the moral temper of a public school.

Senator FERRIS. Is the ethical culturist ruled out from the consideration of morality in his views and conduct?

Doctor MACHEN. I am not ruling out anybody at all, sir—the ethical culturist or anyone else.

Senator FERRIS. No; but if religion is the basic element in all morality, then can we have a morality that is not founded on a religious idea?

Doctor MACHEN. I myself do not believe that you can have such a morality permanently, and that is exactly what I am interested in trying to get other people to believe; but I am not at all interested in trying to proclaim that view of mine by any measures that involve compulsion, and I am not interested in making the public school an agency for the proclamation of such a view; but I am interested in diminishing rather than increasing the function of the public school, in order to leave room for the opportunity of a propagation of the view that I hold in free conflict with all other views which may be held, in order that in that way the truth finally may prevail.

Senator PHIPPS. Thank you, Doctor. [Applause.]

Senator PHIPPS. The next witness will be Dr. Frank J. Goodnow, president of Johns Hopkins University.