

# A QUESTION OF COMPULSION

by

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The nineteenth century is very important in the history of educational development. The responsibility of the Churches started to shift; the growth of state education was witnessed and the belief emerged that everyone should receive some level of instruction. Whether primary education should be made compulsory or not became a popular theme for discussion, particularly during the last middle half of the century.

In the 1830's Primary Education became compulsory in most Swiss Cantons; by the middle of the century it was made compulsory in Germany, in Austria (1869) and in England (1870). As a consequence, the schools in Europe improved and increased in number. In Malta, the principle of compulsion was accepted but nothing in this line was attempted before the Compulsory Attendance Acts of 1924 (1) and 1946. The great difficulty was always "the taxation to be introduced to meet the heavy cost which such a measure must necessarily entail" (2).

Until 1924, there was no system of compulsion in Malta with the result that when children arrived at the fourth standard they were generally withdrawn and the number of children in the two highest standards was very low. In 1924, however, an act laid down that a parent, although free to decide whether his children would or would not go to school, had to leave them therein, once admitted until they reached the age of 14 or, alternately, until they passed the final examination of the highest class in their school (3).

The starting point of this short study goes back to the days when Can. P. Pullicino, D.D., was Chief Director of Primary Schools. From this very instance, the problem of low school attendance was always emphasized. This short-coming brought with it an awareness of the need of compulsion. Though the desire for compulsory education was felt in many quarters, official impotence and inactivity were evidently noticeable.

Immediately on his appointment as Chief Director of Primary Schools, Can. P. Pul'icino prepared a report on primary schools, which

1. The Act of 1924 was further amended. See, The Malta Govt. Gazette, Supplement No. XXXII, 18th April, 1927.
2. Misc. 3318/1916, H.E. the Governor to Fr. J.A. Azzopardi, O.F.M., February 22nd, 1916.
3. Annual Report on Education, 1934-5. Children were obliged to attend 75% of the lessons and if dull or backward, might obtain exemption at the age of twelve. If absences exceeded 25% the parents, after due notice, were summoned before a Magistrate and condemned to the payment of a fine or imprisoned.

he presented on the 10th July, 1850 (4). This Report contains an official estimate and a thorough survey of the actual state of primary schools. We also know that the Director realized the urgent need of reform and projected the principal reforms which he considered needful to the country. Compulsory attendance was not however one of the fundamental principles underlying his scheme for the regeneration of the schools in Malta and Gozo.

It should be noted that at this early period of his career, the Director was against compulsion. He did not see the need of laws and enactments. He described those favouring legislation as liberals who advocated the teaching of reading and writing so as to propagate their doctrines (5).

On the 22nd September, 1862, Can. P. Pullicino attended the International Congress for the Progress of Science held in Belgium. The issue of obligatory instruction was treated in its second session. Those who advocated the theories of compulsion were described by Pullicino as "uomini eccentrici" (6). Jules Simon professor of education at the Sorbonne was the main speaker advocating compulsory education. A letter sent by Victor Hugo favouring free and obligatory education was also read at the meeting. Those against compulsion argued that though wishing to see universal instruction, they did not want the violation of human liberty (7).

In spite of his belief, the Director also realized that his whole programme could not be put into operation if the problems of attendance, order and discipline in schools were not vigorously tackled. He was determined to correct these grave defects. In his efforts to restore discipline (8) he insisted on order and routine. He complained, "Nelle scuole nui'ombre di sommissione si ravvisava" (9). Progress was noted,

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4. Can. P. Pullicino, Rapporto sulla Educazione nelle Isole di Malta e Gozo, (Govt. Press, Malta, 1850).
  5. P. Pullicino, Notamenti di un Viaggio fatto nell'Estate del 1862, Vol.1.
  6. see, *ibid.*, for more details of the Congress.
  7. *ibid.*, vide also, P. Pullicino, Osservazioni e Progetti, Viaggio in Irlanda, anni 1849-50, Vol.5. The Director was not influenced by Rousseau and the French Encyclopaedists who advocated in particular the withdrawal of education from the control and influence of the Church and preached the setting-up of a state-system of education where every one could have equal opportunity to receive the education adapted to one's needs.
  8. The problem of discipline should be treated with some reservation and considered against a 19th century background. School discipline as understood then was given a restricted meaning. Children were denied that kind of freedom which to-day they usually enjoy in most primary schools. Discipline was understood in an adult sense and was therefore less liberal. It consisted in the rigid enforcement of rules and regulations and in the imposition of the teachers' authority on children.
  9. Pullicino, Secondo Rapporto, p.5.

in fact in 1860 (10) he reported that discipline was good in almost all schools.

Pullicino believed that parents failed to send their children to school because they could see no material advantage for doing so, and therefore compulsion would be disagreeable to parents and unwelcomed in Malta. The Director attempted to exert permanent influence on parents by soliciting the help of parish priests. He advocated the use of sermons in this respect. Sermons could be utilized "per incoraggiare, cioè, i popoli a mandare i loro fig'i a scuola" (11). The Director preferred "una misura atta a incoraggiare indirettamente i capi di famiglia a prendere cura delle istruzione di loro figli..... E per Malta, tra le altre, una tale misura potrebb'essere la preferenza pei lavori di Governo da darsi ai giovani che hanno passato un tempo determinato nelle scuole....." (12). In fact he suggested this measure in his Third Official Report (13). This suggestion was not well received in official quarters (14).

In spite of all his endeavours he had to admit that he had not been very successful with the methods he had adopted to induce parents to send their children to school. He observed that parents kept away from school even their little boys and girls. These children could not be employed because of their tender age, yet their parents left them to roam idly in the streets. Attendance at school fluctuated from time to time and from school to school.

It is interesting to note at this instance that in face of this reality the Director ceased to theorize and did not hesitate to go against his former convictions. Experience showed him that some sort of compulsion was necessary after all; he had this to say, "Non crederei quindi essere inopportuno l'usare mezzi in qualche maniera coercitivi..... Ne sarebbe d'alcun aggravio a' genitori l'essere obbligati sotto pene di qualche multa di mandare i figli a qualche scuola, almeno della età di cinque a dieci anni" (15).

We can say, however, that only during the first decades of the 20th century a real surge forward in favour of compulsory education was

10. Pullicino, Sesto Rapporto, p.21.
11. Pullicino, Giornale, Visita ed Esame di alcuni Istituti di Educazione di Londra, di Parigi e della Toscana, anno 1850, Vol. 2.
12. Pullicino, Gioarnale, Visita ed Esame degli Istituti di Educazione dell'Irlanda, anno 1849, Vol.1.
13. *op.cit.*, pp.23, 24.
14. The Chief Secretary to Government, H. Lushington in a margine note to the Director's report in manuscript said that this suggestion was not easy to put in practice. He noted, 'A person who can read and write well has a chance of employment arising from the very fact. But, I think, that it would be impossible to lay down a rule that those who had been at school should be employed'.
15. Pullicino, Quarto Rapporto, p.6.

noticeable. At the end of July, 1913, 2,815 children of school age were seeking admission to school. We know that there was insufficient accommodation and in certain other villages, eg. Mgarr and Marsaxlokk, there was no school provision at all. During that year 3,545 children were also withdrawn from the day schools (16). In 1915, Fr. J.A. Azzopardi launched a strong campaign in the press in favour of compulsory education. Azzopardi went to California to work with the Maltese migrants. He realized at once that the uneducated Maltese could never do as emigrants. "The authorities of Malta speak of emigration without compulsory education. But so long as there is no compulsory education, the Maltese will be of no good anywhere" (17). The Governor of Malta, Lord Methuen supported the efforts of Fr. Azzopardi and had to admit the truth. "I have been greatly impressed by the immense disadvantage under which the adult Maltese of the lower classes, whether in the island or outside it, are placed by their general ignorance and illiteracy, and I feel convinced that there is little hope that their status can ever be raised unless this bar to their moral and material welfare can be removed" (18).

In the meantime, questions connected with local education were being studied at high quarters. The Secretary of State asked the Governor (19) to consider the suggestions made in the Royal Commissioner's Report. In this Report it was pointed out that attendance in the Elementary Schools was irregular and that the large majority of children left school at an age so early that whatever they might have learnt faded rapidly from their minds and they reverted to a state of illiteracy. The Commission recommended that elementary education should be made compulsory as soon as funds permitted.

It was suggested from London that admission age should be raised from five to seven. This step might remedy to some extent the unsatisfactory state of elementary education. The Secretary of State also asked

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16. Report on Elementary Schools, 1913-14.

Between 1901 and 1911 the number of children of school age (between 5 and 14) rose from 41,012 to 45,600. Of these 20,000 were left without means of instruction. "It is only necessary to go into a street to any town or village and see the number of children between five and fourteen years of age, hawking, begging, annoying the old, the infirm and the unfortunate, doing nothing in fact but learn the morals, behaviour, blasphemies and language of the street, drifting towards casual livelihood and lazy, ignorant, improvident and immoral manhood and womanhood, and to witness the local exploitation of child labour, and then to reflect that schools and teachers are waiting for them, and yet that there is no power in the land that can compel the lazy, indifferent parent to put the child to school, or to keep the child there, when he is made to attend". F.J. Reynolds, 3.12.1915, Mem. 5047/15.

17. Malta Herald, 15.8.1915, extract from letter.

18. Lord Methuen to Secretary of State, 14th September, 1916, Misc. 3318/1916.

19. Harcourt to Rundle, 31st May, 1912, Despatch No. 55.

the Governor to consider the possibility of raising the fees at the Lyceum and at the University so as to meet a larger portion of the cost of education.

The Governor of Malta in a long Despatch to the Secretary of State (20) gave an outline of the steps taken to improve local education and the efforts made to provide elementary education for all the children whose parents had asked for it. In the meantime, the regulations for keeping private schools had been revised in the direction of giving more latitude and discretion to the Sanitary authorities in approving suitable infant school premises not conforming precisely to the standardised formulae of window space, etc (21). The Governor saw no reason why school admission age ought to be raised. "So long as the large majority of children are removed before the age of ten, it is desirable to avoid further reduction of their short school life" (22). He did not favour an increase in the fees of the Lyceum and the University because he feared that such a step might be regarded as a tax on education.

Nothing of importance resulted from this correspondence. The Secretary of State wished that "economic conditions rendered it possible to do even more for the Maltese Children" (23).

In 1915, Mr. F.J. Reynolds, the Director of Elementary Schools prepared a short memorandum "relative to certain steps which might be taken towards introducing compulsory education in Malta and Gozo" (24). The Director said that almost in every country except Malta there was some form or other law enforcing compulsory attendance at school. He gave a comprehensive view of the situation in some European countries and American States. He tried to show the local situation where the children were the masters of the situation. "The illiterate and ignorant parent has perfectly uncontrolled liberty to educate his children or to leave them ignorant". The Director was sure that sooner or later the problem had to be faced and the later it was postponed the more degraded would the conditions of the people be. To his mind it was utter fallacy to hope that matters would ever improve in any way unless the law made education compulsory up to a certain age; it was equally a fallacy to hope that assistance in this matter would be forth-coming from any other quarters but Government's initiative and action.

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20. Rundle to Secretary of State, 7th June, 1914, Despatch No. 87.

21. See, Govt. Notice, No. 94, June, 19, 1914.

22. The average age of withdrawal was 9.7 (9.9 for boys, 9.5 for girls, varying from 10 in case of boys in town schools to 8.9 in case of boys in the smaller and poorer villages.)

23. Secretary of State, Despatch No. 79, 1st July, 1914.

24. Educ. 5047/15 F.J. Reynolds to Lt. Governor and Chief Secretary to Government, 3.12.1915.

Reynolds was aware that if this question was to be solved, funds had to be provided. He therefore suggested school fees, a penny rate per child per week, or three shillings four pence per annum; an increase in the general taxation or a tax to be imposed on certain articles which were imported free of duty, e.g. pickles and sauces, confectionery, haberdashers, hats and caps, arms and ammunition, furniture, etc; a revision and an increase of fees payable by students in Government Secondary Schools. He said, "It would appear an anomaly that the Island should have to bear the cost of, say, from £16 to £28 per annum annually for each embryo doctor or lawyer, who are recruited from the middle and higher classes of the population, while it denies elementary education to the lower classes" (25). He therefore suggested that attendance at day schools be made compulsory from the ages of six to twelve (or seven to thirteen) for all boys and girls: the boys were to be made compelled to attend evening classes at least to the completion of their fourteenth year. The most important consideration was according to him the employment of teachers. It was desirable to attract to the teaching profession educated men and women from every section of the community (26). He was also aware that premises or the means for the introduction of compulsory education were at the time inexistent. The Director also considered it exceedingly advisable that some form of administration of corporal punishment within certain specified limits be introduced.

No decision was taken and the problem remained unsolved and under discussion. Lord Methuen (27) was of opinion that no improvement in local education could be hoped for until Malta followed the example of other civilized countries and adopted in some degree the principle of compulsion. The Governor though agreeing as to the importance of avoiding too precipitate a course of action proposed to the Secretary of State that as a first step towards this end, he should at least accept the principle of compulsion. He hoped that the preliminary steps towards the realization of compulsion might be made without undue delay. In fact he appointed a Committee to report on the practical aspects of the

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25. *ibid.*, para. 31.

26. The system employed then was that of obtaining teachers at very low and unfixed rates of salary. The prospects utterly failed to attract desirable men and women. The salaries of Assistant teachers varied from 3s6d to 17s6d a week. Out of the total number of 280, only 40 could ever attain to 17s6d a week. Women teachers received from 2s11d to 14s0d per week, of which only 40 from 436 could obtain from 11s8d to 14s a week. In spite of everything, "The marvel is that these ill paid, hardworking humble servants of the country achieve so much".

27. Lord Methuen to Secretary of State, 14.9.1916, Misc. 3318/1916.

introduction of compulsory education in Malta. This Committee declared itself in favour of the principle.

H.A. Byatt, the Lieut. Governor in a critical memorandum upon the Committee's Report (28) pointed out clearly serious obstacles which an immediate and a complete adoption of the Committee's scheme would encounter. He realized the real need for more widespread education among the Maltese. He made suggestions as regards admission and withdrawal ages, additional accommodation, provision of the necessary funds and teaching staffs. Believing that the state should be under no obligation to assume the duties of the nursery, he agreed that admission age should be no less than six years. As regards the age of withdrawal he suggested the minimum age of ten.

The question of compulsory education was more actively considered when Dr. A.V. Laferla was Director of Elementary Schools. He used to complain of the irregular attendance of children. "Children went to school of their own free will and whenever they liked" (29). To compensate for lack of space in Government schools, the Director invited the local religious communities to co-operate with Government to further the education of the people by undertaking elementary education. In February 1922, he sent thirty-eight appeals. Only three favourable replies were received (30). The Minister of Public Instruction complained that some people were opposing the introduction of compulsory education (31). At this time the Government was studying the possibility of introducing compulsory attendance in those places where classrooms were available (32). Classrooms were calculated at the basis of forty children. The Director of Elementary Schools prepared a Report on the matter and suggested buildings which could be utilized as schools.

Dr Laferla in preparing his report on the workings of his Department for 1929/30 intended to include a paragraph on Compulsory Attendance. However, the Lieut. Governor remarked that the defects of compulsory attendance as pointed out by the Director were disquieting. He therefore ordered that this section of the report be deleted. In fact this paragraph did not appear in the official printed report (33).

"Act XII of 1924 — the Compulsory Attendance Act — should be amended without delay, as its defects are seriously hampering our work.

28. Memorandum by Lt. Governor, Encl. Misc., 3318/1916.

29. Laferla, A.V., Annual Report for Elementary Schools, 1924/25.

30. File 313/22, 21.2.1922.

31. M.P.I. File of 4.12.1922, letter of Mgr. Ferris to Dr. Bougillon of the University of Washington, U.S.A.

32. File 980/22, School Accommodation required to admit all the children of Malta and Gozo, 23.11.22.

33. Govt. Gazette, No. 7384, 14.12.1930, Supp. XCIV.

In the first place, the very principle on which it is based is wrong. The child is intangible and the parents are to be punished for all its misdeeds. It is true that the law lays down that in case the child prevents the smooth working of a school the Minister may direct that a child be punished, provided that the punishment be not corporal..... Another defect in the law is that it allows 25% absences or two half-days per week. With the parents' approval, children now look upon this not as a concession, but as a right and keep away from school.

Add to this all the absences arising from the certificates given by certain medical officers and the periods — in some cases extending to 2 or 3 months — certain Magistrates allow parents wherein to comply with the law.

All this has to be seen if Elementary Education in Malta is not to be reduced to a farce" (34).

The Labour Party was not happy with the Attendance Act. It had already intimated the Minister of Public Instruction that it wanted to discuss with him the Compulsory Attendance Act (35).

At last, the Compulsory Attendance Ordinance was published in the Malta Government Gazette, Supplement No. 11, on February 1st, 1946. In the amendment (Ordinance No. IV, 1946) it was laid down that "in no case should a child be allowed to leave school before attaining the age of 14". Mr. J. Brennan, Director of Education at the time said, "The years of war has rendered the people acutely conscious of the benefits of education, and, the vast majority had already registered their children and were eagerly pressing for their admission so that when the net was cast in October 1946 a negligible percentage of small fry was caught against its will" (36).

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34. Original draft of report

35. 183/29, G. Bencini to M.P.I., 17.6.29.

36. Annual Report on the Education Department, 1947.