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Review of *Forging New Freedoms: Nativism, Education, and the Constitution, 1917-1927* By William G. Ross

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Forging New Freedoms: Nativism, Education, and the Constitution, 1917-1927. By William G. Ross. Lincoln: University of Nebraska Press, 1994. Illustrations, notes, index. x + 277 pp. \$45.00.

This is a penetrating analysis of the “complicated melange of war hysteria, fear of anarchy and Bolshevism, postwar anomie, nativism, pietism, populism, and progressivism” that prompted serious assaults on parochial schools during the years following the first World War. Fired by zealots who feared an America awash in a sea of immigrants whose schools and churches (and especially those operated by Germans) were bulwarks of ethnic identity, the era produced concerted efforts in Nebraska, Oregon, Michigan, Hawaii, and Washington to shut parochial schools, create compulsory attendance statutes, and

outlaw foreign language instruction and use. In the name of Americanism, cried the advocates of the movement, parochial schools and all they represented ought to be rooted out.

But as Ross suggests, more was at issue than fear of German-language schools. Language seemed a paradigm for culture and race, and in the crucible of a war in which government and press depicted Germans as relentless savages, parochial schools were assailed as dens of kaiserism. Advocates saw this as the moment they might finally take firm control of the nation's cultural and ethnic destiny. After all, as Iowa governor William L. Harding declared in 1918, "God is listening only to the English tongue." And when he and his ilk got through, he boasted, that was how matters would remain.

Opponents of the nativists understood clearly that fundamental civil liberties teetered in the balance. If states could employ their police power to destroy parochial schools, where might the assault on ethnic minorities end? The prospects were chilling. Thus the three cases to which Ross pays closest attention (*Meyer v. Nebraska*; *Pierce v. Society of Sisters*; and *Farrington v. Tokushige*) set the framework for a much broader discussion of the Fourteenth Amendment's due process clause, the police power of the state, and ultimately the proposition that "democratic values and ethnicity were not mutually exclusive."

In the end the attacks failed, and the Supreme Court disavowed the various state cases in language that continues to inform high court decisions to this day. *Meyer*, *Pierce*, and *Farrington* presaged "the emergence of the Supreme Court as a persistent guardian of personal liberties," Ross concludes, and affirmed that citizens have certain rights under the Fourteenth Amendment that must be respected by the states.

This is a compelling discussion of legal history and the social and ethnic questions the parochial school cases raised. Legal scholars and social historians alike will find much to ponder here. Ross's discussions of nativism, and of the broader context from which the school cases emerged, is fascinating. Deeply researched,

smartly written, and forcefully argued, this is an important book.

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