

Home Education Foundation

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Staatliches Schulamt
z. Hd. Frau Christa Lettau
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Dear Frau Lettau,

Re: Wunderlich Family

The Home Education Foundation of New Zealand has been advocating parents' rights in New Zealand and internationally for 27 years. We are committed to home education as the best opportunity to embrace spiritual, intellectual, and academic freedom.

After so many years liaising with the New Zealand government, the Home Education Foundation is well placed to understand the concerns and needs of home educators, as well as the concerns of government bodies. We were very concerned on behalf of the Wunderlich family to hear of the German government's threats to remove the children from their family and force them to attend school. As we understand, Dirk and Petra Wunderlich have lost legal custody of their children and have been threatened with civil and criminal penalties including the loss of their treasured children if they continue to home educate them.

Home educators in New Zealand and internationally believe that they are the best people to provide their children with an education. They believe that it is primarily their responsibility to do so, not the responsibility of the government. Many home educating parents also hold convictions that to surrender responsibility for their child's education to the state would be deeply wrong on each of the following counts:

1. Education of children is a parent's responsibility, and parents would consider it wrong to give up their responsibility to any alien person or institution.
2. Education of children is not the state's responsibility, and parents would consider themselves at fault if they were to allow the government to overstep its bounds.

Having observed the home education movement worldwide over the last three decades, the Home Education Foundation can vouch for the fact that rather than injure their consciences by yielding their children to government oversight, millions of home educators world wide choose to teach their children at home even when faced with the most outrageous persecution.

Human rights

Parents have a right to choose a specific kind of education for their children. This right was not given to them by any legislating body or human authority but by the word of God (Ephesians 6:4; Deuteronomy 6:7). However the right is supported by multiple human rights instruments under international law.

Serving, Promoting and Strengthening the Home Education Community in New Zealand since 1986

Universal Declaration of Human Rights (1948) Article 26 (3) - “Parents have a prior right to choose the kind of education that shall be given to their children.”

International Covenant on Economic, Social and Cultural Rights (1976) Article 10 (1) and 13 (3)³— “The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.”

International Covenant on Civil and Political Rights (1976) Article 18 (4)⁴ - “The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.”

Charter of Fundamental Rights of the European Union (2000) Article 14 (3)³ - “The freedom to found educational establishments with due respect for democratic principles and the right of parents to ensure the education and teaching of their children in conformity with their religious, philosophical and pedagogical convictions shall be respected, in accordance with the national laws governing the exercise of such freedom and right.”

European Convention on Human Rights (1952) Protocol 1, Article 2 - “No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.”

American Convention on Human Rights (1969), Article 12 (4) - “Parents or guardians, as the case may be, have the right to provide for the religious and moral education of their children or wards that is in accord with their own convictions.” Article 13 (4) - “In conformity with the domestic legislation of the States Parties, parents should have the right to select the type of education to be given to their children, provided that it conforms to the principles set forth above.”

The right of parents to choose what kind of education their children receive is thus well-attested as a fundamental human right. The Home Education advises that in many situations, a parent’s views on what constitutes a suitable education differs broadly from the government’s views on what constitutes suitable education. In such cases, as these human rights instruments attest, it is the parent with whom the decision rests, not the government.

When the government disagrees with a parent over what constitutes a suitable education, it is the government’s opinion which must yield to the parent’s opinion in the absence of actual abuse.

The Proven Superiority of Home Education Over Conventional Schooling

The worldwide home education movement is now entering its second generation and it is growing. After so much time, home education is simply no longer viewed with suspicion. The evidence is overwhelming for the fact that home education produces well-socialised, well-educated adults able to think for themselves and take responsibility for their lives. Many universities and employers now aggressively recruit home educators for their unique skills, discipline, and maturity.

For just one of the many examples, a 2002 study of home educated children in the United Kingdom found:

‘The results show that 64% of the home-educated Reception aged children scored over 75% on their PIPS Baseline Assessments as opposed to 5.1% of children nationally. The National Literacy Project (Years 1, 3, 5) assessment results reveal that 80.4% of the home-educated children scored within the top 16% band (of a normal distribution bell curve), whilst 77.4% of the PIPS Year 2 home-educated cohort scored similarly. Results from the psychosocial instruments confirm the home-educated children were socially adept and

without behavioural problems.’ (Rothermel, P. 2002. Home-Education: Rationales, Practices and Outcomes. University of Durham.)

The overwhelming majority of evidence shows that home educators do give their children better educations than is provided in conventional schools, and that home education emphatically does not result in the appearance of “parallel societies”.

Recommendations

Home education across the world is a growing movement. All the research shows its validity as an educational choice. In most civilised countries—with the notable exception of Sweden and Germany—home education is allowed and even encouraged. The freedom to home educate is increasingly being recognised as a human right.

It is a mystery to all of us why Germany is so far behind the times that it does not recognise and embrace the benefits of home education—that it does in fact persecute and criminalise responsible home educating parents. United Nations Special Rapporteur on Education, Vernor Munoz, made an official observation mission to Germany several years ago. In his report the Rapporteur stated that home education should be a legitimate educational option, and likewise expressed concern that this is usually not recognised in Germany.

We remember with respect and honour the example of Sophie Scholl, her brother Hans, and their associates who had the courage and conviction to stand up for what they knew to be right, even though it threatened and eventually took their lives. We likewise respect and honour the example of the Wunderlichs and other German families courageous enough to make a stand for educational freedom today, even though they face the loss of what they value most: their children.

We are advised that the Wunderlich parents are loving and supportive to their children, and that their children have stated their own desire to continue being educated at home. This is a functional, responsible, and loving family. It would be a tragedy for them and a shocking breach of human rights for Germany if the threats made to remove the children from their parents’ care and force them to attend school were carried out.

The Home Education Foundation recommends that the Wunderlichs be permitted to home educate their children according to their rights at international law, that they regain the legal custody of their children, and that German authorities go on to accept and encourage her home educating citizens.

We sincerely hope that you and your colleagues in government office will make the right decision and uphold the rights of the Wunderlich family at this time.

Yours faithfully,

The Home Education Foundation of New Zealand
Per:

Barbara Smith
National Director

CC: Frau B. Kissel
Herrn R. Harms
Judge Markus Malkmus