
The Voluntaryist

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"If one takes care of the means, the end will take care of itself."

April 1994

"By Their Fruits Ye Shall Know Them": Voluntaryism and the Old Order Amish

By Carl Watner
Introduction

In 1984, I published an article entitled: "The Noiseless Revolution," (THE VOLUNTARYIST, Whole No. 10) about voluntaryism and the railroad industry's development of standard time zones. At that time I had not been aware that there were any modern-day Americans who refused to use government-mandated daylight savings time. In 1989, I came across Donald Kraybill's book, THE RIDDLE OF AMISH CULTURE, and realized that during the Great Depression, those same "refuseniks" would not accept government money due them under the crop reduction provisions of the Agricultural Adjustment Administration. During World War I, out of religious conviction they refused to buy government bonds and fight in the armed forces. During World War II, they refused to use government-issued ration stamps for the purchase of food and other necessities. They resisted participation in Social Security by not paying their taxes, and were finally exempted by Congressional action. They refuse to use televisions or install telephones in their homes, to own or drive automobiles or farm tractors with pneumatic tires, nor will they bring electricity generated by "public utilities" into their homes. They won a Supreme Court decision which protected their parental rights (based upon the tenets of their religion) to terminate their children's formal education at the eighth grade. They believe in complete nonviolence, preferring to "turn the other cheek," rather than harm another human being. Who are these people, and why do they behave like a cross between the ancient Stoics and a modern-day Gandhi?

During the summer of 1993, my interest in the Amish was rekindled by an article by Gene Logsdon on "Amish Economics: A Lesson for the Modern World," parts of which I reprinted in Whole No. 65 of THE VOLUNTARYIST. What was the reason for their "separate and peculiar" way of life? How principled was their rejection of government programs? To what extent did they really distance themselves from the government? Could they be considered voluntaryists? What was the basis of their religion and lifestyle?

Never having met an Amishman, how could I hope to answer these questions? In the course of writing this article, I contacted several Amish people, who for the most part were quite reserved and unhelpful. However, I did find a number of books and authors, who seemingly understood the Amish and presented their case to the modern-day world. Along with these academic sources, I also discovered a world of lay literature—THE BUDGET, a weekly Ohio newspaper devoted to "The Amish-Mennonite Communities Throughout the Americas", THE DIARY, a Pennsylvania monthly magazine "Serving the Old Order", a yearly Amish publication, THE NEW AMERICAN ALMANAC, and the many books of Pathway Publishers (Aylmer, Ontario) and Good Books Publishers (Intercourse, Pennsylvania). While the study of these materials has not made me an authority on the Old Order Amish, they have provided me with some insight into their culture and way of life. Any errors of interpretation, naturally, remain my responsibility.

The following analysis of Amish life and history is obviously

written from a voluntaryist point of view. If we define voluntaryism as the philosophy of life that all the affairs of people should remain private and voluntary—that relations among people should be by mutual consent or not at all—then clearly we can characterize members of the Old Order Amish as falling within the voluntaryist fold. Perhaps they might not agree with this assessment. Nevertheless they meet the criteria. They both preach and practice nonviolence, they generally reject electoral politics, and are antagonistic to the modern state. They also use and respect private property, although they do not believe in unbridled individualism or in accumulating wealth for wealth's sake. One would be hard pressed to find any other large and cohesive group of people in the modern world that not only practice what they preach, but live out their lives in peace and simplicity. Who are the Old Order Amish and where did they come from?

The Amish Background and History

The Old Order Amish are the descendants of the Anabaptists, who originated in Europe when youthful reformers in Zurich, Switzerland outraged the city elders by rebaptizing one another in early 1525. Throughout Europe at the time, church and state were linked by infant baptism, which insured that all members of the body politic were also members of the church. "The rebaptism of adults was punishable by death" because this impinged on the sovereignty of both institutions. If adults could choose to be baptized outside the state religion, then there would be no reason why they could not withdraw their support from the state. The more radical of these religious reformers were soon under attack for rejecting the state's authority in matters of religion. They were called "religious anarchists" because they believed in an incipient form of voluntaryism. Much to the consternation of people like Martin Luther and Ulrich Zwingli, they "sought a return to the simplicity of faith and practice as seen in the early Christian Church in the Bible." The Anabaptists were known as "rebaptizers" (or second baptizers) because they believed "that the church should be a group of voluntary adults, baptized upon confession of faith, and, like the early Christian Church, separated from the world and the State." The practice of adult baptism embraced by the Anabaptists emphasized the fact that "children cannot be born into a church." They believed that the nature of the church was such that it should be "voluntary, adult, holy, full-time, caring and disciplined." Some of their other distinctive beliefs included 1) a strong Bible-centeredness, which they believed should pervade one's entire life and faith, 2) "a forgiving love in all of life" resulting in their refusal to participate in war, and 3) a "belief in separation from the world by means of nonconformity in dress and lifestyle."

Separation of church and state has always been a cornerstone of Anabaptist belief. Rulers of 16th Century Europe had a "deep fear that Anabaptists were destroying God's good society by disobeying their orders, not bringing their infants to be baptized, rejecting military service, refusing to swear the civic oath, and worshipping" apart. Anabaptists soon had a price put on their heads, and were being hunted down, tortured, and often killed for refusal to recant or give the names and locations of fellow believers. "The first martyr was drowned in 1527. Over the next few decades, thousands of Anabaptists were burned at the stake, drowned in rivers, starved in prisons, or lost their heads to the executioner's sword." The coercive kingdom of this world starkly contrasted itself with the peaceable kingdom of God, which the Anabaptists embraced. As followers of Christ they believed they "must not take the life of another human being even if it meant losing one's own life." It was more important for them to bear

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Voluntaryism and the Old Order Amish

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witness to the reality of God's love than it was to preserve their own lives, which they believed were in God's keeping.

Menno Simons (1492-1559), a Catholic priest from Holland, joined the nonviolent Anabaptists in 1536. He rejected a group of violence-prone Anabaptists who had captured the city of Munster in 1534, and began punishing those who would not be baptized as adults. His moderate leadership and prolific writings did much to unify the outlook of his Swiss brethren. "So important was his influence that within a few decades many of the northern Anabaptists were called 'Mennonites'." The Mennonite congregations throughout Europe maintained a basic identity in belief and action until the early 1690s, when Jacob Ammann (1656?-1730?), a Swiss Mennonite bishop, felt that the mainstream Anabaptists were losing their purity. The new Christian-fellowship which he began in 1693, became known as the Amish. Ammann and his supporters believed that a member who broke with the fellowship should be severely censured and eventually completely excommunicated. This was in line with the New Testament teaching that "taught the church to discipline its members. If after long loving counsel a member in sin refused to repent, that person should be excommunicated from the fellowship until he did repent. Otherwise the fellowship would eventually have no standards." From the Amish point of view, the purpose of excommunication was to bring a sinful member back into the fellowship, not an attempt to harm or ruin the individual.

Today, the many-subgroups of Mennonites and Amish fall into two broad categories. Merle and Phyllis Good in their book, *20 MOST ASKED QUESTIONS ABOUT THE AMISH AND MENNONITES* (1979), explain that there are both Old Order and New Order among the Amish and Mennonites. "Those who take their cue for decision-making primarily from their faith fellowship" are labelled Old Order, while "those who are more influenced in their primary decision-making by what the larger society thinks than by what their faith fellowship believes" are modern or New Order. Although this article specifically addresses the Old Order Amish (Amish in the context of this article means Old Order Amish), there are Old Order Mennonites and Hutterites that may share more in common with the Old Order Amish than they do with their own modern religious groups. Even the division New Order and Old Order do not divulge the extent of differences between many of the Amish sects, which range from the most conservative Old Order Swartzentrubers, to the more liberal Beachy Amish and Amish Mennonites. The Old Order Amish emerged as representatives of the traditionalist Amish in 1865, when they rejected "worldly carnivals," fancy clothing, "pompous carriages," gaudy household furnishings, commercial insurance, the operation of large scale businesses and warned against lax church discipline. The change-minded Amish of the post-Civil War era became known as the Amish Mennonites.

In 1992, there were about 63,000 Old Order Amish adults and maybe 70,000 Amish children to be found in twenty-two of the

United States and Ontario. This Amish population comprised itself into about 900 church districts. The largest concentrations were located in Ohio, Pennsylvania, and Indiana. When you find an Old Order Amishman you will be able to see and hear him! His distinct badges of identity are: his horse and buggy transportation, his use of horses and mules for field work, his "plain dress" (no buttons or pockets), his beard and shaven upper lip, his Pennsylvania German dialect, his selective use of modern technology, and his eighth grade education. The Old Order Amish are sometimes referred to as the "House Amish," because they have no church buildings, but rather hold their biweekly church services in their own homes. An Amishman's intention is not "to get ahead," but rather to get to heaven. The Amish believe "that how one lives reflects one's Christian faith." The Amishman's objective in life is to remain faithful to the teachings of the New Testament. His lifestyle is based upon his religion. His goal is to "live daily a frugal, simple life of work and worship" and, by doing this, his vocation, recreation, and home life are blended into "a harmonious social pattern." This integration weaves itself all the way throughout Amish life.

The Amish and Mutual Aid

"An important theme in Amish history is the presence of community and the practice of mutual aid." Shunning plays a pivotal part by defining what is acceptable and what is not. The Amish have two German words, which more than anything else, characterize their outlook on shunning: *Gelassenheit*, which

"Those who feel it is okay to tell white lies soon go colorblind."

—READER'S DIGEST
June 1991, p. 28

means "submission" to the local congregation's will, and *Ordnung*, which stands for their code of "expected behavior". Shunning is an effective form of social control, which in the words of one ex-Amishman "works like an electric fence around a pasture with a pretty good fence charger on it." As Donald Kraybill has put it, "The Amish embody the virtues of a small, highly-disciplined community where social controls rest on informal sanctions meted out in a dense network of kinship ties." The traditional Amish values—"obedience, hard work, responsibility, and integrity"—are all reinforced by the yielding of the individual to the consensus of the community. If the individual refuses to compromise, he is ostracized socially and boycotted economically.

Yet for those who stay, there is the deep-seated assurance that they will be taken care of for life, providing they make every effort to take care of themselves. The Amish believe that, if the church is faithful to its calling, commercial insurance and government welfare programs are unnecessary. Their ethic of mutual assistance flows from the Biblical emphasis on charity, taking care of one's own, and from the spirit of *Gelassenheit*, "with its doctrine of humility, self-sacrifice, self-denial, and service to others." By not having to rely on outsiders or the state for help, the mutual aid system of the Amish permits them to remain aloof and separate from the outside world. Mutual aid far exceeds the romanticized barn raisings we have read about or seen in the movies. "Harvesting, quilting, births, weddings, and funerals require the help of many hands. The habits of care encompass responses to all sorts of disasters—drought, disease, death, injury, bankruptcy, and medical emergency. The community springs into action in these moments of despair—articulating the deepest sentiments of Amish life. Shunning governmental assistance and commercial insurance, the Amish system of mutual aid marks their independence as well as their profound commitment to a humane system of social security at every turn."

Since each Old Order Amish congregation sets its own rules, it is difficult to generalize on the specific activities of each group's mutual aid system. However, it is safe to say that the Amish aid system eliminates their need for commercial insurance. For example, "between 1885 and 1887, the Amish of Lancaster County (Pa.) formed the Amish Aid Fire and Storm

Insurance Company" which is still in existence and collects "from church members according to their ability to pay." Many congregations maintain similar cooperative systems known as Amish Aid, which cover other types of losses. Amish Liability Aid is an assessment system which collects premiums from members "to pay for tort liability awards against Amish farmers and businessmen. Amish Church Aid is yet another cooperative plan," which covers hospitalization and medical costs. Those who suffer misfortune and are not enrolled in these cooperatives "receive assistance from church funds for the poor." Every congregation has a deacon who is responsible for helping those in need, including those who have suffered losses resulting from their nonresistance or refusal to sue or defend themselves in court. An Amishman once summed up his outlook on life and mutual aid by writing: "[I]n our way of living, none of us is fully independent. We all need each other and try to help each other get through this life."

The Amish View of the State

"Centuries of persecution have resulted in an almost instinctive distrust of government. The Amish realize that the hand that feeds you also controls you." The Amish see the state as the embodiment of force, since the army and police are the most essential parts of government. Nevertheless, the Amish are law-abiding, tax-paying citizens until the laws of man conflict with the laws of God. Then they can be stubborn as a mule, refusing to compromise deeply-held beliefs, and will respectfully take a stand opposing government, even if it means prosecution, fines, imprisonment, or death. The Amish maintain a very apolitical or "courteous disregard for the affairs of state." They apply this strategy of non-involvement to such questions as whether a Christian should vote, serve on a jury, or hold public office. Most Amishmen believe that if they do not help elect or vote for government officials, the latter are not their representatives, and therefore they are not responsible for what these office-holding wielders of the sword do.

The Biblical admonitions to live a nonresistant life largely shape the Amish view toward lawyers and lawsuits. They studiously avoid using the courts to protect their rights or to force other people to comply with their agreed-upon promises. They will not use the law to collect unpaid debts, although the Amish have been known to stand in court in their own defense or to be represented by attorneys in such a situation. This allows them to avoid "the public role of plaintiffs seeking to vindicate their rights." They will also use lawyers to draw up farm deeds, wills, articles of incorporation and to transfer real estate, but they will not generally initiate a lawsuit since this is grounds for excommunication from the congregation. "In the spirit of nonresistance, modeled on the suffering of Christ, the Amish traditionally have suffered injustice and financial loss rather than resort to legal force." Not only is going to law contrary to the spirit of God, but the Amish also have their practical reasons for rejecting lawsuits. They believe they are unnecessary, always cause bitter feelings, and that as a rule both sides are losers.

The Amish do believe in paying their taxes, and they have never opposed the payment of real estate, property, school, sales, county, or federal and state income taxes. However, most Amishmen would agree that after they pay their taxes, the tax is no longer their money. Hence they have no responsibility for how the government spends the money, nor do they consider it their responsibility to tell the government how it should be used. If the Amish hold these attitudes, then why did they oppose payment of taxes to the Old Age, Survivors and Disability Insurance (Social Security) program? Why didn't they pay their taxes and refuse the benefits offered by the government?

The Amish vs. Social Security Taxes

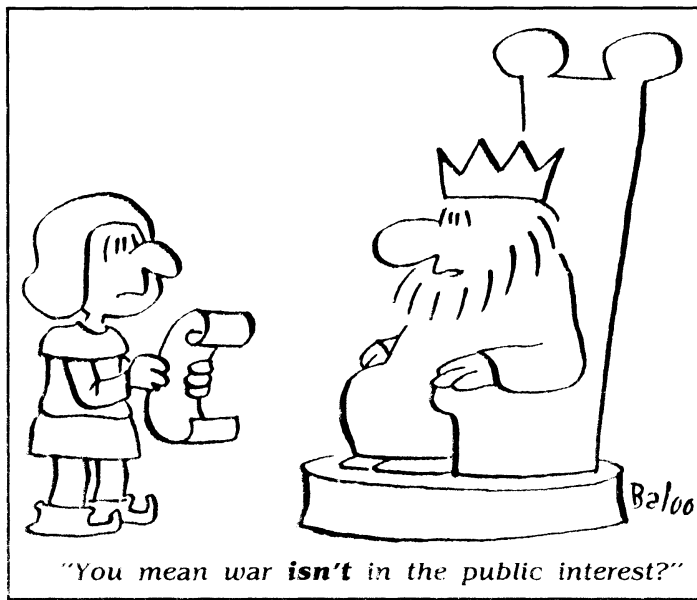
The answer to this question is two-fold. First, as already mentioned, the Amish are adamantly opposed to participation in all commercial and governmental insurance schemes, and are just as adamant against receiving public welfare assistance. Since the very beginning of its propaganda on behalf of Social Security, the federal government has described it as an insurance program. However mistaken this nomenclature might be, the Amish accepted it at face value and consequently viewed Social Security as the government portrayed it. Thus to the Amish, they

were not refusing to pay a tax, but rather opposed to participating in an insurance program. The second reason the Amish opposed Social Security was that Amish leaders "feared that if their members paid Social Security, future generations would be unable to resist receiving the benefits for which they had already paid. Payment of taxes would be seen as participation in the system, and if paying was allowed, then how could receiving benefits be prohibited?"

The Amish first encountered the Social Security question in 1955, when it was extended to cover self-employed farmers. The Amish used many dodges to avoid complicity with the program. Some simply did not pay; others allowed the IRS to seize money from their bank accounts. Valentine Y. Byler, an Amish farmer from New Wilmington, Pa., was one of the hardliners, who closed his bank account in order to forestall IRS collection. In June 1959, the IRS filed a lien against Byler's horses for nonpayment of his Social Security taxes. In July 1960, the IRS served him with a summons to appear in court to defend his actions. When he failed to honor the summons, he was seized by government agents in August 1960, and taken to the US District Court in Pittsburgh to answer charges of contempt. The charges were lifted when the judge realized that Byler was refusing to pay his Social Security taxes because of a firmly-held religious conviction. Finally, on April 18, 1961 Byler received national attention when IRS agents came onto his farm and seized three of his work horses for nonpayment of his taxes.

The resulting furor led to a temporary moratorium on the collection of Social Security taxes from the Amish. In September 1961, Mortimer Caplan, Commissioner of the IRS, met with a group of Amish bishops in hopes of resolving the stalemate. The Amish refused to contribute to Social Security in any way, but finally agreed to initiate a lawsuit that would determine whether or not their sect was entitled to an exemption based upon the fact that forced participation in Social Security was a violation of their religious freedom. In April 1962, Byler filed the promised suit, but soon he and the Amish bishops had second thoughts, realizing that "going to court violated their religious beliefs." The suit was withdrawn in January 1963. Meanwhile the Amish bishops collected signatures and petitioned their representatives in Congress, pressing their case for a legislative exemption, which finally passed in 1965.

The exemption applied to self-employed workers who were members of a religious sect continually in existence since 1950, and "with established tenets opposed to accepting the benefits of any private or public retirement plan or life, disability, or health insurance." Each person must certify on IRS exemption form No. 4029 that he or she is conscientiously opposed to receiving government benefits such as Social Security and Medicare, "and must do so before becoming entitled to receive" those benefits. Furthermore, the worker must waive "all rights



to future benefits for self and dependents under those programs." This government-granted exemption did not cover Amish employees working for Amish or non-Amish employers, so that at least some Amishmen were still liable for the tax. In addition, since the Social Security tax was both paid by employees and employers, some Amish employers, although not responsible for Social Security tax on their own earnings from self-employment, were still liable for their employer's share of the Social Security tax on the earnings of their employees (whether Amish or not). This oversight led to the next stage in the struggle involving the Amish and Social Security.

In the case of *United States v. Lee* (455 US 252) the Supreme Court decided, in 1982, that the burden on an Amish employer, Edwin Lee, was not unconstitutional "since the state's overriding interest in maintaining the nationwide Social Security system justified the limitation on religious liberty." Between 1970 and 1977, Edwin Lee employed Amish workers in his carpentry shop and on his farm. He objected to being forced to contribute the employer's share of the Social Security tax on these employees because of the sect's religious scruples about participation in the Social Security program. In 1978, Lee sued for an injunction blocking IRS collection efforts and asked for a refund of the amount of Social Security tax he had actually paid on these workers. The federal district court granted the injunction and refund on the basis that "requiring Lee to participate in Social Security and pay the employer tax for his workers" would be a violation of his rights to the free exercise of his religion guaranteed in the First Amendment to the U.S. Constitution.

On appeal by the government, the Supreme Court overruled the lower court's decision, and while granting Lee's religious freedom was violated, it held that there were more important interests at stake. The majority opinion of the Court demonstrated concern with a number of issues. First, the Court noted that the 1965 Congressional exemption applied only to self-employed individuals, not to employees or employers. Second, the Court agreed that the forced payment of taxes to or receipt of benefits from the Social Security program did violate the Amish religious beliefs and did, in fact, interfere with their freedom of religion. But the Court noted, that "Not all burdens on religion are unconstitutional. ... [T]he State may justify a limitation on religious liberty by showing that it is essential to accomplish an overriding governmental interest."

The court's main concern was the smooth functioning of the tax system. This became apparent in its discussion of taxation and religious freedom. The Court observed that there was no fundamental difference between paying federal income taxes and paying the Social Security tax. Both were forced contributions to the government's treasury. As the Court said, "There is no principled way, however, for purposes of this case, to distinguish between general taxes and those imposed under the Social Security Act. If, for example, a religious adherent believes war is a sin, and if a certain percentage of the federal budget can be identified as devoted to war-related activities, such individuals would have a similarly valid claim to be exempt from paying that percentage of the income tax. The tax system could not function if denominations were allowed to challenge the tax system because tax payments were spent in a manner that violates their religious belief. ... Because the broad public interest in maintaining a sound tax system is of such a high order, religious belief in conflict with the payment of taxes affords no basis for resisting the tax."

Having lost the case, the Amish probably concluded that it was a lawsuit "that should never have been brought." For one thing it violated the Amish injunction against initiating court cases. For another, it left the Amish no constitutional route to make any further challenges. Their only option was to lobby and petition for an amendment to the original Congressional exemption. In 1988, they succeeded in expanding the 1965 exemption to "include Amish employees working for Amish employers exempting both from the tax." Consequently the only Amish who are currently liable for any Social Security tax payments are those working for non-Amish employers. "Although relatively small in number, these persons pay into the system but generally do not accept its benefits."

The Man Who Would Not Shoot

Conscripted into the Confederate Army against his will, Christian Good, a Mennonite youth, ignored his commanding officer's order to shoot. When called to account for disobeying orders, Christian stated, "I didn't see anything to shoot at." The officer asked him, "Didn't you see all those Yankees over there?" "No, they're people," answered Christian. "We Mennonites don't shoot people."

From Titus and Linda Peachey, *SEEKING PEACE*, Inter-course: Good Books, 1991, pp. 5-6.

Today, the National Amish Steering Committee acts as a liaison between the Old Order Amish congregations and their church districts and the Internal Revenue Service. The Committee was begun in October 1966, in response to the Amish predicament over the military draft and the Vietnam War. The Old Order Amish tolerate little church bureaucracy, and since each congregation sets its own rules, Amish-governmental relations are complicated because "the Amish have no national headquarters, national policy or national office to represent them." Consequently, the Old Order Amish Steering Committee "represents a delicate balance between the autonomy of the church districts and the practical need of the Amish to represent themselves in a single voice to government officials." Even some of the more conservative Amish "continue to distance themselves from the activities of the National Amish Steering Committee. As one Swartzen-truber bishop stated unequivocally, 'We don't join groups.'"

The IRS has taken the position that the religious exemptions to payment of Social Security taxes granted in 1965 and 1988 are not individual exemptions but rather an exemption to recognized religious groups. The law has never been tested to see what would happen to a bona fide member of such a group who refused, not only to pay the Social Security tax, but also to apply for an individual exemption. Presumably he would be considered exempt if he were a member in good standing of his congregation. Conversely, any member of the Amish who is excommunicated from or leaves the faith, automatically loses his exemption. "Entitlement to exemptions granted the Amish is determined by church membership rather than personal conviction. This was made clear in *Borntrager v. Commissioner* (1990) when an excommunicated Amishman who claimed a religious objection to Social Security was required to pay the tax." The National Amish Steering Committee "has asked that all (excommunicated) individuals be reported to it," presumably so they can answer IRS inquiries.

The federal government's approach to dealing with the Amish has been to treat the Amish as a religious group, rather than to deal one on one with the individual Amishman. In the most well-known Supreme Court case (*Wisconsin v. Yoder*, 406 US 205) involving the Amish, Chief Justice Warren Burger in his majority opinion emphasized that, "The record of this case abundantly supports the claim that the traditional way of life of the Amish is not merely a matter of personal conviction but an organized group and intimately related to daily living." Citing Henry David Thoreau as an example of an individual exercising his philosophical and personal choice, rather than a religious rationale, the Court concluded that despite the unity of Thoreau's lifestyle and philosophy, the state had the right to force him to conform and pay his taxes. The Amish, while taking a position similar to that of Thoreau (that they would not pay a tax contrary to their convictions), were protected because their rationale was religious, and thus they were extended protection under the First Amendment.

The Amish vs. State Education

In order to better understand the Yoder case, which involved the religious rights of Amish parents to terminate their children's

"All wars are basically civil wars because all men are brothers."

—Joseph Abileah

education, it is necessary to comprehend the Amish outlook on education, children, and the family. Since very few "outsiders" convert to the Amish faith, the main conduit for the preservation and extension of the religion is the children of the Amish themselves. The number of Amish would diminish rapidly if their children could not be raised to embrace the faith of their parents. The Amish believe that their children are not born into the church. "Therefore, the parents, not the church, are responsible for the children's souls." Child-rearing becomes the task of the parents who are responsible for the physical and spiritual condition of their children.

The ranking of duties within Amish culture is generally: first, church; second, family; and third, state. Sometime, usually between the ages of 15 and 20, before marriage, the young Amish adult chooses whether or not to join the church. "One's first commitment is to God as manifest in the believing community, and the second is to spouse and family." If there is a conflict of obligations, "the rules of church take precedence over family relationships. The laws of the state are obeyed insofar as they do not conflict with the laws of the church or one's duty to family." Consequently, the Amish would argue that their children do not belong to the state. "They belong first to God, and then to their parents, and then to the church through their parents." The Amish take the position that "they and their children should obey the laws of the state, because government is ordained by God, but they would also contend that the Christian does not belong to the state. Therefore, if a conflict arises between the laws of the church and the laws of the state, the church's authority take precedence."

The main goals of Amish parents are: to raise their children to become farmers or to take up farm-related occupations; "to learn to serve God according to Amish belief; and to marry and rear their own families in the traditional Amish way of life." The Old Order Amish are not against education as such. They do think, however, that schooling up to and including the eighth grade is sufficient to prepare their children for their tasks in life. The Amish question whether high school and college "lead to greater wisdom and Christian obedience." What is more important they ask: Wisdom and understanding or knowledge and facts? To the Amish, learning is a way of life, not time spent in the classroom. As one Amish bishop put it, "Our children work; we feel work is the best education they can get." He also added that he knew of no Amish youngster who had completed high school and had stayed with the Amish religion.

The Amish place great importance upon the education of their children. They want them to be as well-taught as possible. They want their elementary education second to none. Generally they prefer their children be instructed by members of their own faith, since such teachers both understand and practice the Amish way of life. "Schools play a central role in the preservation of Amish

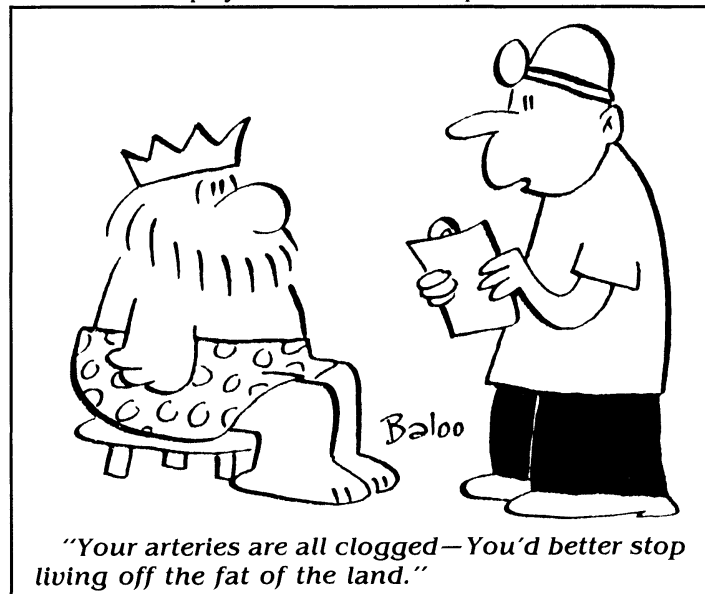
culture. They not only reinforce Amish values but also shield youth from contaminating ideas." When Pennsylvania took the Amish to court in 1951, in the case of *Commonwealth v. Beiler*, Amish church officials issued the following statement:

We believe that our children should be properly trained and educated for manhood and womanhood. We believe that they need to be trained in the elements of learning which are now given in the elementary schools. Specifically, we believe that our children should be trained to read, to write, and to cipher. We believe our children have attained sufficient schooling when they have passed the eighth grade. We believe that when our children have passed the eighth grade that in our circumstances, way of life and religious belief, we are safeguarding their home and church training in secular and religious beliefs and faith by keeping them home under the influence of their parents. (Fisher, 16)

The early Amish settlers in 18th Century Pennsylvania generally established private subscription schools in their communities. When state-run school systems became popular in this country during the 19th Century, the Amish usually accepted and used the public schools. This was especially true in the mid-west and central states, where Amish farmers were glad to have their children in one-room school houses during some of the idle winter months. Schooling and the state were not really an issue for the Amish until the passage of compulsory attendance laws, which required that children stay in school after the age of 14. Compulsory attendance laws "at the outset may have appeared harmless enough" (because the Amish never believed they would be forced to keep their 15 and 16 year olds in school), but by the end of the 1800s some Amish realized that they had been duped. "Free" public education not only cost them in school taxes, but with the passage of attendance laws, more and more of their children were required to attend longer and longer terms at school. "The churches began to realize what they had lost when they turned education over to the state." Amishman Samuel D. Guengerich of Johnson County, Iowa noted in 1896 that, "The righteousness which counts before God is neither sought nor found in the public schools or free schools; they are intended to impart only worldly knowledge, to ensure earthly success, and to make good citizens for the state."

During the 20th Century, as the state has tried to make "good citizens," the Amish and the state have increasingly come into conflict. The first struggle in this century broke out after World War I in Ohio, when the Bing Act required children to attend school until age 18. In January 1922, five Amish fathers were arrested for "neglecting their children's welfare." Their school-age children were made wards of the court and kept in custody for two weeks at an orphanage. The distraught parents finally gave in, realizing that the most important thing was to keep their families together. The next clash occurred during the mid-1930s, when the federal government, trying to encourage public construction, authorized the federal Public Works Administration to grant money to the states for the building of consolidated elementary and high schools. In many areas this meant the demise of the one-room school house. Many, not only the Amish, resisted the closing of these schools because it meant that outside professional educators, rather than local citizenry, would control the schools. In 1937, these issues came to a head in East Lampeter Township, Pennsylvania. Not only had the Pennsylvania legislature raised the compulsory attendance age to 15, but a new consolidated school was being built. At least one Pennsylvania Dutch Amishman spent a night in jail for refusing to send his daughter to school. The Lancaster County Amish began to open their own private schools, and successfully lobbied the state legislature for a reduction of the compulsory attendance age to 14.

It was not until the mid-1950s, that the Amish encountered more school difficulties. In the meantime, they often sent their children to their own private schools, or reached agreements with local school officials to use the rural public schools, until their children completed the eighth grade. In 1955, when Pennsylvania again raised its compulsory attendance age, a compromise was worked out whereby Amish children older than 14 were able to



work at home, but reported to a special vocational school one morning per week until they reached 15. In other places the Amish simply refused to allow their children to attend public schools. In the fall of 1962, officials in Buchanan County, Iowa determined that Amish schools no longer met state standards since, among other things, they employed uncertified teachers. Matters came to a head in November 1965, when school officials used a bus to collect and transport the children of recalcitrant Amish parents to public schools. Most of the children fled into surrounding corn fields or refused to accompany the officials. Iowa's governor finally declared a moratorium on local school board interference, and national sympathy began to coalesce behind the Amish position. In 1967, the Iowa General Assembly granted state officials the power to exempt the Amish from compliance with Iowa public education standards.

One of the results of the Iowa controversy was increased national interest in the problems of religious freedom. Lutheran pastor, Reverend William C. Lindholm, became responsible for the formation of The National Committee for Amish Religious Freedom in March 1967. Meanwhile, in Kansas, Amishman LeRoy Garber was convicted under the state's compulsory attendance laws for refusing to send his daughter to public high school. The Kansas Supreme Court agreed with an earlier Pennsylvania decision of 1951, that stated, "Religious liberty includes the absolute right to believe, but only a limited right to act. ... The parent's right to believe as he chooses remains absolute. But compulsory school attendance is not a religious issue." Thus, the Kansas Court concluded that requiring high school attendance did not infringe on the right of the parents to worship or believe as they saw fit. It further stated that regardless of how sincere a religious belief might be, "an individual cannot be permitted upon religious grounds to be the judge of his duty to obey laws enacted in the public interest." The National Committee for Amish Religious Freedom tried to appeal the Kansas decision to the U.S. Supreme Court. When their petition was denied there was nothing the Committee could do. It had to wait for another test case.

The Supreme Court Decision

Litigation originating in Green County, Wisconsin in 1968 soon provided the opportunity. Many Amish parents living near New Glarus, refused to send their children to high school. One of the fathers charged with this crime was Adin Yutzy, who had moved from Iowa to escape from school officials there. The two other defendants in the case were Jonas Yoder, another Old Order Amishman, and Wallace Miller, a member of the Conservative Amish Mennonite Church. Reverend Lindholm contacted these men and urged them to allow the National Committee for Amish Religious Freedom to represent them. On January 6, 1969 "the Amish agreed to sign a power of attorney called 'Understanding and Agreement' which declared that they were 'not concerned so much about themselves as they were in allowing the committee to defend the principle of religious freedom for others'." The agreement stated that the Amish would permit their case "to be pursued to its fullest conclusion."

The men were convicted in the Green County Court in the Spring of 1969. Wisconsin's compulsory attendance law required that they send their children to public or private school until reaching age 16. Yoder (for whom the case became known) and the other men refused to send their children, ages 14 and 15, to public school after the eighth grade. The local court held that although the tenets of their religion were violated, there was a "compelling state interest" in an educated citizenry that overruled the violation of their rights. The Wisconsin Circuit Court affirmed the conviction. The National Committee appealed and the Wisconsin Supreme Court issued a reversal, deciding in favor of the parents. The state's Supreme Court concluded that since Amish and Mennonite schools had been so successful in preparing their students for productive lives there was no threat "to society" by limiting their education to the eighth grade. Therefore

"If you want the rainbow, you've got to put up with the rain!"

the state had no "compelling interest" in requiring attendance until age 16. The State of Wisconsin was not satisfied with this ruling and appealed the case to the U.S. Supreme Court, which held final jurisdiction since the issue being litigated was a First Amendment question.

The U.S. Supreme Court in affirming the decision of the Wisconsin Supreme Court reasoned as follows. First, it appeared to the Court that the Amish practice of working and teaching their children after the age of 14 actually constituted a highly-successful form of "vocational" education. Second, this case involved "the fundamental interest of the parents, as contrasted with that of the State, to guide the religious future and education of their children." Third, in analyzing the Amish religion, the Court agreed that the Wisconsin compulsory law coerced them "under threat of criminal sanction, to perform acts undeniably at odds with fundamental tenets of their religious beliefs." Finally, the Court adduced that the State of Wisconsin made no showing that two years of additional schooling would either make Amish children more fit to live within their own culture or better American citizens. Consequently, the failure of Amish parents to send their children to school after the eighth grade was not a crime, nor a threat to the physical or mental health of the children or to "the public safety, peace, order, or welfare" of the State of Wisconsin.

Thus, the Supreme Court of the United States confirmed that "the Amish educational process is one of the most effective yet devised. Amish schools have been remarkably successful in preparing youth for productive lives within Amish society." Not only do Amish students usually outperform their public school counterparts when they are tested in basic reading, writing, and arithmetic skills, but they are also prepared for life in other less tangible ways. The Amish place far more emphasis on character education than they do on technical education. The kind of educational wisdom the Amish seek to impart to their children is to build "character, honesty, humility, and long-suffering" patience. The Amish "have no interest in landing men on the moon," instead "they seek only to produce good men."

Amish Farming and Modern Technology

In the course of several centuries, the Amish have proven that their method of producing Godly men and women works. It could easily be said of the Amish that they are proof that "if one takes care of the means, the end will take care of itself." First, and foremost to them, they are Biblical people rooted in the soil. The family farm is the focus of their daily life, where the Amish raise their families and eke their living out of the soil. The Amish have always been noted as being some of the world's best farmers. They make the land bloom, wherever they go, thus providing the truth of the observation that "the condition of the land, reflects the character of" the people who live upon it. Whenever they uproot and leave a place, it is usually because of political conditions imposed upon them by the authorities from the outside world, rather than because they cannot make a living from the soil.

The Amish do not engage in farming because of its economic rewards, but rather because they are guided by the Biblical injunction that men and women should earn their bread by the sweat of their brow. Farming and farming-related occupations are not only religiously motivated, but personally satisfying, and represent the best opportunities for them to raise their children in the ways of the Lord. Farming, as the Amish practice it, promotes a prudent "ecology, a moderation in financial and material ambition, frugality, attention to detail, good work habits, interdependence, neighborliness, and good common sense." Their traditional farming background teaches them ingenuity and self-confidence. With this experience they have no need to seek their fortune in the city or to obtain a college degree to ensure success.

Even though they do not use large motorized combines and rubber-tired tractors, studies have shown that the Amish are able

"Wisdom is knowing what to do. Virtue is doing it."

to harvest more per acre "with less energy consumption than" their more mechanized neighbors. The Amish farmer concentrates on doing a better job with what he already has rather than on getting more land to farm, as his modern counterpart does. The Amish have no particular desire to "get rich," though there may be a few wealthy Amishmen. They are satisfied if they can make their living from the land, and set their own children up as farmers. They try to live so that when they retire they will be able to take care of themselves. They also expect their children to help them in their retirement, just as they have helped their children in their formative years.

Since the Amish way of life has proven itself to the Amish, they have little desire to change. Hence, they are very suspicious of and hesitant to accept the "modern" way of doing things. Nowhere is this approach more important to them than in dealing with modern technology. "Unlike modern folk who are eager to save labor at every turn, the Amish welcome (farm) work as a wholesome way of keeping families together." Although they still farm with horses, they have adopted and integrated beneficial technology—so long as it does not "disrupt the community or give in to human frailty." Their use of electricity illustrates how they have accomplished this. Most Amishmen do not reject electricity anymore, but only electricity brought directly from the outer world into the home, where it may become "an umbilical cord to worldly distractions and unnecessary gadgets." Home-generated electricity, from wind, sun or diesel motor, is generally accepted for use in the barn or workshop, where its use is not likely to lead to abuse. Thus at one stroke the Amish have eliminated television and radio from their lives, not only because they are electrical appliances, but even more importantly because they represent the modern world's influence and intrusion into the family home.

In the case of cars, which the Amish will use but not own, they have reached "an astute cultural compromise. It protects the traditional identity and equality of the community while allowing it to flourish financially and socially." The Amish will ride in cars, buses and transport vans in emergencies and in special circumstances. But they will not own them for fear of allowing them to "get out of hand." The Amish not only distinguish between use and ownership, but they emphasize the importance of the dividing line between use and abuse. From the Amish perspective the refusal to permit car ownership controls the negative side effects on the community (especially disruption of the family based upon the car making it so easy for family members to travel). Their limited use of the car enhances, rather than destroys, community solidarity. There is no hypocrisy from their viewpoint in using cars, but not owning them. The community and congregation are kept together by the fact that their normal day-to-day travel is limited by the distance that a horse and buggy can drive. The Amish are free of yoking themselves to the state via driver's license and insurance, although state requirements that they use slow-moving vehicle emblems has sometimes resulted in controversy. The Swartzentrubers, for example, reject the red triangular safety symbol as being too worldly, too loud and bright in color, and their use as showing a distrust in the protection offered by God. Whatever compromises the Amish have made with the modern world, their accommodations seem to be a reflection of their ability to make carefully-selected lifestyle changes, yet not be swept away by modern influence.

Conclusion

As the Twentieth Century has progressed, there have been more and more instances of interaction with the State, both on local and federal levels—not because the Amish have tried to force their way of life on others, but because government has insisted on intruding into every aspect of their lives. Some of the conflicts between the Amish and the State not discussed in this article involve land use regulations, building permits, vaccinations, stabling of horses within town limits, sanitation facilities, and manure pollution. Although the Amish have sometimes been successful in obtaining legislative exemptions or judicial decisions which favor their way of life, they should

certainly be aware that such privileges granted them are just that. Constitutional mandates and man-made-law are all the same. The Constitution may be amended and laws may be easily changed. How the Amish will fare under the new universal health care plan remains to be seen.

Although the Amish have been characterized as largely voluntarist, their history offers a few aberrations. They have never objected to the applications of compulsory education laws to the first eight grades, nor do they view taxation as theft. They accept the Biblical admonition to render unto Caesar. Although they are ready, willing and able to stand up to the State when it conflicts with God's law, they believe the State is God-ordained and to be resisted only when it violates Scripture. While the Amish and voluntarist both oppose the State, it is not always for the same reasons. Some voluntarists might find the Amish lifestyle strange and backward, but it is necessary to remember that it is their basic stance on non-violence and mutualism that unites them.

The Amish exude a basic common sense about life in the real world that is refreshing to us moderns. They know which values are important, and they pursue those values in their own lives. Amish society emphasizes "informal learning through doing, a life of goodness rather than a life of intellect, wisdom rather than technical knowledge, community welfare rather than competition, and separation rather than integration with a contemporary worldly society." Yet for all the praise due the Amish, they are not a perfect people. "Marriages sour, and greed and pride lift their heads, just as in any other community. It is easy to romanticize Amish life as an idyllic alternative to modern ways," forgetting that they are facing the same oppressive state and human problems as everyone else. Nevertheless, the words written by John Hostetler in 1952, still ring true:

Their mission to America as apostles of peace is to bring healing to human society and to witness to a higher way of life. They do not entertain any utopian ideas about possessing the whole world or converting it. ... (They believe that) (t)he foundations of any civilization depend on the moral quality of the people living in it. Where better can such virtues as neighborliness, self-control, good will, and cooperation be found than in small communities? A civilization will thrive wherever these qualities are found, and it will break down wherever they cease to exist. Perhaps the modern hurried, worried and fearful world could learn something from the Amish.

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"Men cannot be forced to be free, nor can they even be forced to be virtuous. To a certain extent, it is true, they can be forced to act as though they were virtuous. But virtue is the fruit of well-used freedom. And no act to the degree that it is coerced can partake of virtue—or of vice."

—Frank Meyer,
IN DEFENSE OF FREEDOM (1962),
p. 66.

Letter To Editor

Dear Carl,

Some of your articles in THE VOLUNTARYIST look at voluntarism as a way of life in which self-control and virtue are essential. Along a similar vein, may I offer my thoughts on an issue which I believe is more fundamental than the long-range problem of achieving a Stateless society?

While thinking about the fact of coercion in our daily lives (not only that initiated by the State), it occurred to me that eliminating the State was not enough to achieve a free society. In fact, as voluntarists say, "If one takes care of the means, the end will take care of itself." Since voluntarists are more concerned with means than ends, it seems reasonable that we should speak more on the subject of living as a voluntarist than on strategies to end the State.

Voluntarists want to freely go about their business, and they try avoid or break-off any relationships that they do not consent to. Voluntarists abhor all coercive activities—not only those perpetrated by government. If one overlooks, for the moment, that most people think government coercion is legitimate, it is probably true that nearly everyone would consider themselves voluntarists. How many people believe that it is right to steal, kill or otherwise harm others? Not many. But when it comes to the State's coercive acts, they roll over—they accept taxation and military conscription, they elect the officials who pass the onerous laws that they must obey, they run to the government with every little problem, and they enjoy the benefits of government largesse without feeling guilty.

In spite of what I just said, it seems to me that the basic concept of voluntarism already has wide acceptance since it comes naturally to most people in their daily interactions with family members, friends, coworkers, business associates, and strangers. People should know that "voluntarism" is a philosophy largely compatible with what they already believe, and that "voluntarists" are just people who try to live up to the voluntary principle. It should only be necessary to make people aware of the nonvoluntaryist contradictions in their beliefs and the harm they bring, and to teach them how to apply voluntarist principles consistently in their daily lives. If success in this endeavor can be achieved, the State will naturally lose popular support. That is, if we can learn to take care of ourselves, the State will take care of itself.

Sincerely,
David Gilson

"For Me, That's Enough!"

My response to those that claim that the family could not survive under a regime of freedom "would point to scattered groups in America which, through some amazing historical quirk or some political miracle, still inhabit one of our few remaining 'zones of liberty' and which survive under such an 'impossible' regime. One unexpected but interesting example would be the Amish, who beat off government challenges to their special, limited educational practices (namely, schooling only by Amish teachers and only through the eighth grade), who make heavy use of child labor, and who avoid Social Security (as well as government farm welfare) out of principle. Not only have the Amish managed to survive in an industrial, market milieu; they have thrived. Their families are three times the size of the American average. When facing fair competition, their farms turn profits in 'good times' and 'bad.' Their savings rate is extraordinarily high. Their farming practices, from any environmental standard, are exemplary, marked by a committed stewardship of the soil and avoidance of chemicals and artificial fertilizers. During a time when the number of American farmers has fallen sharply, Amish farm colonies have spread widely, from a base in southeastern Pennsylvania to Ohio, Indiana, Iowa, Tennessee, Wisconsin, and Minnesota.

It is probably true that relatively few contemporary Americans would choose to live like the Amish, given a true freedom of choice. Then again, no one can be quite sure what America would look like, if citizens were actually freed from the bureaucratic rule over families that began to be imposed here, over one hundred years ago, starting with the rise of the mandated public school. I have absolutely no doubt, though, that under a true regime of liberty, families would be stronger, children more plentiful, and men and women happier and more content. For me, that's enough."

—Allan Carlson in

"What Has Government Done to Our Families?"
No. 13, ESSAYS IN POLITICAL ECONOMY,
The Ludwig Von Mises Institute, Nov. 1991.

*"Life deals the cards; the way you play
them is up to you."*

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