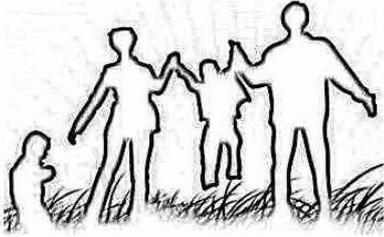


Association for Homeschooling
Vereniging vir Tuisonderwys



Association for Homeschooling
FROM :

Association for Homeschooling

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TO:

Ambassador Embassy of the Federal Republic of Germany

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Dear mr. Haack

The Association for Homeschooling has written to the German Embassy on two occasions in the past and also had telephonic discussions with Dr. Bodo Schaff. In our letter dated 13/1/2005, we brought it to your attention that homeschooling has a proven track record of success and that South African and International law recognises the right of parents to transfer their values to their children. The same points were re-iterated in our letter dated 4/12/2006.

Based on the press reports that the Association for Homeschooling has received, it seems that the German government has intensified the persecution of homeschooling parents and is increasingly in conflict with International law and European Law. It also seems that the German government has also extended it's persecution of homeschooling parents to citizens of other countries.

In this context, the purpose of this letter is twofold:

- 1) To gain a better understanding of the German Government's viewpoint on the rights of parents.
- 2) To clarify what advice the Association for Homeschooling should provide to homeschooling parents who consider visiting Germany for extended periods

GAIN A BETTER UNDERSTANDING

In his response to our letter in 2006, dr. Bodo Schaff made the following statements:

- "Daily contact with other students from all walks of life promotes tolerance, encourages dialogue among people of different beliefs and cultures, and helps students to become responsible citizens."
- "The public has a legitimate interest in countering the rise of parallel societies that are based on religion or motivated by different world views and in integrating minorities into the population as a whole."

In order to gain a better understanding of these statements, we kindly request that you provide answers to the following questions.

- A) What empirical research has the German Government considered in order to conclude that children need to go to a school in order to learn tolerance, the ability to enter into dialogue and to be responsible citizens?
- B) What empirical research has the German Government considered in order to conclude the home learners will not master the above mentioned attributes as well as or better than institutionalised learners?
- C) On what legal, philosophical or moral grounds does the German state claim the power to counter the rise of parallel societies by the application of violent force (as it does with homeschooling parents) in order to integrate minorities into the state defined culture of the majority?

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- D) On what grounds does the German Government justify its material and moral support of German schools and German home education in South Africa and neighbouring countries in view of its suppression of equivalent education on German territory?
- E) How does the German Government understand the freedom of religion if the German minister views it justifiable to "*bring the religious convictions of the family into line with the unalterable school attendance requirement*"
- F) To what extent does the German Government intend to comply with European and International law on the rights of children to be educated in the religion/philosophy, culture and traditions of their families and the rights of parents to choose for their children education that is in accord with their own convictions?

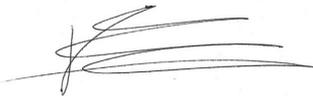
ADVICE TO SOUTH AFRICAN PARENTS

Since the press reports below indicate that the German Government has expanded its persecution of homeschooling families to foreign parents residing in Germany as well, it is important that South African homeschooling parents who consider visiting Germany for extended periods should be briefed on the risks associated with such a visit. In order to assist the Homeschooling Association with this, we kindly request that you provide answers to the following questions:

- G) What rights do South African homeschooling parents have in Germany in respect of the education of their children?
- H) What documentary proof should South African homeschooling parents take with them when they visit Germany in order to exercise their rights if such rights exist?
- I) Who can South African homeschooling parents contact in Germany, in the situation when an uninformed government official in Germany infringes on such rights if they exist?

If you judge that it could be beneficial, the Association for Homeschooling is more than willing to visit the German Embassy and have an interactive discussion in order to clarify possible misunderstandings between the South African homeschooling community and the German Government.

Kind Regards



Bouwe van der Eems

(Chairman : Association for Homeschooling)

POLICE STATE, GERMANY

Homeschoolers facing \$6,300 fine

Government levies penalty to stamp out 'parallel societies'

By Bob Unruh

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Government officials determined to stamp out "parallel societies" have in the past ordered police to take children from their homes to school and have placed a teenager involuntarily in psychiatric care for being homeschooled. Now they are fining a German husband and wife \$6,300 for refusing to require their children to attend public schools.

The [Home School Legal Defense Association](#) has written a letter to Mrs. Senatorin Renate Jurgens-Pieper in Bremen, asking for a continuation of previous permission for the Neubronner family to teach their children at home.

"I understand that this family would like to homeschool their children and that while you previously allowed them to do so you are refusing to permit them to homeschool this year," the letter from HSLDA President J. Michael Smith said.

"We also ask you to use your influence to modify the Bremen City-State [law] to make homeschooling possible for anyone who chooses it. To deny parents the right to homeschool their children is to deny them a basic and fundamental human right. Will you consider setting an example for your whole nation that respects the rights of parents and children to be home educated?"

[WND has reported](#) previously how German officials targeted an American family of Baptist missionaries for deportation because they belong to a group that refuses "to give their children over to the state school system."

[The teenager, Melissa Busekros, also returned to her family](#) months after German authorities took her from her home and forcibly detained her in a psychiatric facility for being homeschooled.

[And WND has reported](#) on other families facing fines, frozen bank accounts and court-ordered state custody of their children for resisting Germany's mandatory public school requirements, which by [government admission are assigned to counter "the rise of parallel societies that are based on religion or motivated by different world views."](#)

In the newest case, the HSLDA said Tillman and Dagmar Neubronner run a small publishing house from their home, and homeschool sons Moritz, 10, and Thomas, 8. The boys had not fared well in Montessori or experimental schools "for a variety of reasons including the bus rides, the noise in the classrooms, and lack of challenging material, and a failure to connect with the kids in the school."

The Neubronners filed for an "excuse" from mandatory schooling in 2006 and were told it would be granted if the school psychologist agreed the children would suffer at public school. That official, however, refused, and authorities threatened the family with a fine of 6,000 euros.

The parents then took their children to school and said, "We are here but we will not force our children to stay here," and school officials eventually relented and agreed to a contract that the Neubronners provide homeschooling under the supervision of local teachers.

Their court action over the denial also was turned back, and authorities again have threatened them with a 6,000 euro fine, so "local school officials have indicated that, in light of their loss at the trial level and the opinion of the appeals court on their low likelihood of success on appeal, they cannot allow the Neubronners to continue with the contract approach," the HSLDA said.

As of yesterday, authorities had searched the family's home to determine whether there were items that could be confiscated to be sold to pay the "fine," and authorities also were considering jailing the father, to see whether that would make him change his mind, according to the HSLDA.

The HSLDA letter pointed out to the German officials the Treaty of Amsterdam "calls for respect for the fundamental rights guaranteed by the European Convention on Human Rights."

"These same rights are solemnly proclaimed in the Charter of Fundamental Rights of the European Union, most notably Article 6 (Right to liberty and security of person), Article 7 (Respect for private and family life), Article 10 (Freedom of thought, conscience and religion), Article 14 (Right to education), Article 20 (Equality before the law), Article 21 (Non-discrimination), Article 22 (Cultural, religious and linguistic diversity), Article 24 (Rights of the child), and Article 47 (Right to an effective remedy and a fair trial)," the letter said. "All of these items indicate that homeschooling should be possible for those who choose it. Germany is unique among all civilized countries in Europe who treat home education so harshly."

The letter even noted the call by the U.N. for Germany to "reform" its oppression of homeschooling.

"Distance learning methods and homeschooling represent valid options which could be developed in certain circumstances, bearing in mind that parents have the right to choose the appropriate type of education for their children, as stipulated in article 13 of the International Covenant on Economic, Social and Cultural Rights," the report said.

"The promotion and development of a system of public, government-funded education should not entail the suppression of forms of education that do not require attendance at a school," the U.N. said. "In this context, the Special Rapporteur received complaints about threats to withdraw the parental rights of parents who chose home-schooling methods for their children."

Dagmar Neubronner told HSLDA that the most recent "fine" announced is 4,500 euros, or about \$6,300, which she said the family won't pay.

Authorities then have the option, she told HSLDA, to "send police to our house to have them bring the children to school" or "send a bailiff/marshall to our house or garnish our accounts."

["But we need support in regard to the penalty payment, especially since the authorities deny us legal aid," she said.](#)

"We are happy and well, and since we are sure that this is our way as it should be, we are not stressed, but full of trust," she said.

In the case involving Melissa Busekros, a German appeals court ultimately ordered legal custody of the teenager who was taken from her home by a police squad and detained in a psychiatric hospital for being homeschooled be returned to her family because she no longer is in danger.

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The lower court's ruling had ordered police officers to take Melissa – then 15 – from her home, *if necessary by force*, and place her in a mental institution for a variety of evaluations. She was kept in custody from early February until April, when she turned 16 and under German law was subject to different laws.

At that point she simply walked away from the foster home where she had been required to stay and returned home.

Wolfgang Drautz, consul general for the Federal Republic of Germany, has commented [on the issue on a blog](#), noting the government "has a legitimate interest in countering the rise of parallel societies that are based on religion or motivated by different world views and in integrating minorities into the population as a whole."

Drautz said homeschool students' test results may be as good as for those in school, but "school teaches not only knowledge but also social conduct, encourages dialogue among people of different beliefs and cultures, and helps students to become responsible citizens."

The German government's defense of its "social" teachings and mandatory public school attendance was clarified during an earlier dispute [on which WND reported](#), when a German family wrote to officials objecting to police officers picking their child up at home and delivering him to a public school.

"The minister of education does not share your attitudes toward so-called homeschooling," said a government letter in response. "... You complain about the forced school escort of primary school children by the responsible local police officers. ... In order to avoid this in future, the education authority is in conversation with the affected family in order to look for possibilities to *bring the religious convictions of the family into line* with the unalterable school attendance requirement."