



Pierce v. Society of Sisters (1925) - Justice McReynolds - 9/0.

Issue: An Oregon statute not only compelled education for children, but also required every parent to send their child to a public school. Enforcing the statute would destroy the Catholic schools. Is this constitutional?

Held: No. The Oregon statute is unconstitutional.

Reasoning: The Act unreasonably interferes with the liberty of parents and guardians to direct the upbringing and education of children under their control. Rights guaranteed by the Constitution may not be abridged by legislation which has no reasonable relation to some purpose within the competency of the State. The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the State to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.

Believe it or not, this case will be important when we come to “abortion.”

