School Inspection Law (March 11, 1872)

Abstract

Control over education was an issue hotly contested by the Prussian government and the Catholic Church during the "cultural struggle" known as the *Kulturkampf*. The Prussian School Inspection Law of 1872 sought to assert unconditional state authority, and to deny clerical influence, over all educational institutions in Prussia. It transferred school inspection, previously carried out by clergy, to the sole jurisdiction of state-appointed public servants, though it was also careful not to restrict the existing competence of municipal authorities in such matters. As with other aspects of the *Kulturkampf*, this policy was implemented with little vigor, or none at all, in many non-Prussian parts of the Reich. Variations occurred across Prussian territories as well.

Source

School Inspection Law of March 11, 1872

§ 1
By annulment of any contrary regulations in individual regions, the supervision of all public and private school and educational institutions is solely under the control of the state.

Accordingly, all authorities and civil servants charged with this inspection are acting on behalf of the state.

§ 2
The appointment of local and district school inspectors and the demarcation of their supervisory districts is determined exclusively by the state.

The commission given by the state to elementary school inspectors is revocable at any time, provided that they hold this position as a voluntary or secondary office.

With this, all regulations to the contrary are rescinded.

§ 3
The right of municipalities and their organs to participate in school inspection remains unaffected by this law; the same applies to Article 24 of the Constitutional Document dated 31 January 1850.

§ 4
The minister of ecclesiastical, school, and medical affairs is commissioned with implementing this law.

Source: *Preußische Gesetz-Sammlung*, 1872, p. 183; original German text reprinted in Ernst Rudolf Huber and Wolfgang Huber, eds., *Staat und Kirche im 19. und 20. Jahrhundert. Dokumente zur Geschichte des deutschen Staatskirchenrechts*, vol. 2, *Staat und Kirche im Zeitalter des Hochkonstitutionalismus und des Kulturkampfs 1848–1890*. Berlin: Duncker & Humblot, 1976, p. 530.

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