# In the "enforcement" of the law:

# schooling of children in the legislation of public education of the province of Paraná (1857-1883)

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#### **ABSTRACT**

This article aims at understanding how the childhood time and some of the schooling practices oriented to the individual who experiences it, the child, were developed in the school legislation of the province of Paraná between 1857 and 1883, based on the education regulations and compulsory education laws in force throughout that period. The first part lists some of the theoretical and methodological instruments adopted to deal with the object of this research. The second part presents the problematization of the school legislation as a privileged source for the production of historical knowledge about the education of children in relation to the context of the province of Paraná. In the third part we investigate some practices of children education using the concepts of gender and school age as analytical tools to understand their impact on the production of the school space, knowledges and childhood time of schooling in the province of Paraná.

#### **KEYWORDS**

history of education; schooling; childhood; Paraná; 19th century.

# NOS "RIGORES" DA LEI: A ESCOLARIZAÇÃO DA INFÂNCIA NA LEGISLAÇÃO DA INSTRUÇÃO PÚBLICA DA PROVÍNCIA DO PARANÁ (1857-1883)

#### **RESUMO**

O objetivo deste artigo é compreender como o tempo da infância e algumas das práticas de escolarização voltadas para o sujeito que o vive, a criança, foram pensados na legislação escolar da província do Paraná, entre os anos de 1857 e 1883, tomando como fonte os regulamentos de instrução e as leis do ensino obrigatório que circularam ao longo desse período. Na primeira parte são elencados alguns instrumentos teóricos e metodológicos adotados para o trato do objeto desta pesquisa. Na segunda, realiza-se a problematização da legislação escolar como fonte aqui privilegiada para a produção do conhecimento histórico sobre a escolarização da infância no tocante ao contexto paranaense. Na terceira parte são investigadas algumas práticas de escolarização da infância, utilizando os conceitos de gênero e idade escolar como ferramentas analíticas para compreender-se de que modo estes incidiram na produção do espaço escolar, dos saberes e dos tempos infantis da escolarização na província da Paraná.

#### PALAVRAS-CHAVE

história da educação; escolarização; infância; Paraná; século XIX.

# EN LOS "RIGORES" DE LA LEY: LA ESCOLARIZACIÓN DE LA INFANCIA EN LA LEGISLACIÓN DE LA INSTRUCCIÓN PÚBLICA EN LA PROVINCIA DEL PARANÁ (1857-1883)

#### RESUMEN

El objetivo del artículo és comprender como el tiempo de la infancia y algunas de las prácticas de escolarización orientadas hace el individuo que lo vive, el niño, fueram pensados em la legislación escolar de la provincia del Paraná, entre los años 1857 a 1883 adoptando por fuente los reglamentos de instrucción e las leyes de la enseñanza obligatoria circulantes durante este período. En la primera parte, se enumeran algunas herramientas teóricas e metodológicas adoptadas para el tratamiento del objeto de esta investigación. En la segunda, se lleva a cabo la problematización de la legislación escolar como fuente aquí privilegiada para producir el conocimiento histórico sobre la escolarización de la infancia acerca del contexto paranaense. En la tercera parte, se investigan algunas prácticas de escolarización de la infancia, utilizando los conceptos de género e edad escolar como herramientas analíticas, para comprender cómo se centró en la producción del espacio escolar, de los conocimientos e de los tiempos de la infancia en la escolarización en la provincia del Paraná.

#### PALABRAS CLAVE

história de la educación; escolarización; infância; Paraná; siglo XIX.

#### INTRODUCTION

The aim of this historiographic article is to understand how childhood and some of the schooling practices aimed at the individuals who experience it, children, were considered in the educational laws of the province of Paraná between 1857 and 1883. The predominant sources used were the Education Regulations and Compulsory Education Laws that were in force in this period.

In recent historiography, childhood has been understood as a social construct in relation to a period of a person's life that informs the concrete experiences of being a child in each period of history (Cunninghan, 1997, p. 7; Heywood, 2004, p. 12; Kuhlmann Jr.; Fernandes, 2004, p. 15). Schooling, in turn, based on dialogue with the proposals of Philippe Ariès (1978), Dominique Julia (2001) and Luciano Mendes de Faria Filho (2007), can be considered as a group of ordered and articulated initiatives, dedicated to the education of children during childhood in a space differentiated from the adult world, where a set of norms and practices is put into place with the aim of acquiring knowledge and incorporating behaviors.

Thus, by announcing in the title that the object of discussion is the "schooling of childhood", we want to emphasize that we consider schooling as a phenomenon that, by taking possession of a period in a person's life – childhood – remodelling and adapting it to the school mold, impacts the individual through its practices and mechanisms at this time in life. However, to understand certain aspects of the experiences lived by this individual, such as those we will highlight here based on certain empirical information, it is essential to establish a dialogue with the ways in which this social period has been built and modified as a function of schooling as a means to access knowledge about what "being a child" may have been in other periods in history.

Considering that this experience – schooling of children – can be located and studied in the body of laws relating to school systems and the schooling process, we want to call attention to the possibilities for using this *documentary corpus* as a source for historiographical research, not just concerning school history, but also its relationship with children and childhood experiences. Although this source is limited to setting rules and not depicting "reality", we hope to demonstrate that it actually not only sought to organize the "realities" for which it was proposed, but also dialogued with and received interferences from them. Quotation marks are used around the words "rigor of the law" to show this flexibility in the language of the law and the opening it provides.

Finally, by situating the object of the study in both space – the *province* of Paraná – and time – from 1857 to 1883 – we intend to produce knowledge about schooling of children in primary schools in the Imperial era. It is generally agreed that the history of education no longer operates with the same references as political history, but with multiple cross-sections based on their multiple objects. We also understand, as Eliane Marta Teixeira Lopes emphasized in the early 1980s, that "at each moment in history and in each social formation education takes on different characteristics and functions" (Lopes, 1981, p. 14). Therefore, to speak of the similarities of schools and educational phenomenon in Brazil's Imperial and

Republican epochs, as well as what differentiates them in the flow of the social and political experience with which they dialogued, including the theoretical and methodological progress we have achieved, can contribute to understanding or reinterpreting facets of the history of schools in our country. One of these facets is the importance that concerns about childhood had when legislation about public education was being drafted as far back as the 19th century.

This article is divided into three parts. The first presents certain theoretical and methodological premises adopted to meet the objective of this study. The second problematizes the use of school legislation as a privileged source for the production of historical knowledge about the schooling of children in relation to the context of the province of Paraná. In the third part we investigate some practices of childhood schooling using the concepts of gender and school age as analytical tools to understand their impact on the production of school spaces, knowledge and childhood schooling in the province of Paraná. Following the analysis of these aspects some considerations are offered in the conclusion.

## **VESTIGES OF CHILDHOOD**

To speak of children from another time, and of childhoods constructed for and by this time, is one of the most enticing endeavors in historiography. The general situation of this issue is summarized as follows:

Knowledge of children in the present and the historic reconstruction of childhood in the past are part of a framework comprised of discursive uncertainty, incompatibility of knowledge, difficulty in identifying the object one intends to deal with, and unprecedented and nearly dubious approaches, which require the mobility of the eye and sensitivity of the ear that anthropologists and psychoanalysts acquire from studying *other* individuals, (...) who are completely mute and express themselves in a special code. (Becchi, 1994, p. 6, our translation).

For this reason, one of the initial challenges faced by a historian who wishes to study childhood is to produce sources. Although Marc Bloch broadened the concept of historiographical sources, stating that "the diversity of historical evidence is almost infinite", given that "all that man says or writes, all that he creates, all that he touches can or must tell something about him" (Bloch, 2001, p. 79), the researcher is obliged to ask certain questions: How can historical interpretations be built about a category of individuals when little or almost nothing of what they produced has reached us and who, as a result of this, are immersed in a framework of discursive uncertainty, in which it is difficult to identify the object addressed? What set of methodological sensitivities will enable us to identify childhood of the past?

With regard to this issue, in Italy, Egle Becchi (1994) indicates two categories of sources of the history of children and childhood that we will use in this investigation of their schooling: the records adults kept about children and records produced by children themselves. The latter group is almost always the most difficult

to locate and work with, although it comprises important evidence about childhood and the way that children related to their families (in the case of personal diaries), school (if the sources are school notebooks or assignments) or with the world, by means of material culture (artifacts produced by children).

The first group, records made by adults, according to Egle Becchi and Dominique Julia, are most often "prism[s] left by adults in each period of history (...) and it is by means of these *indirect vestiges* that we must attempt to reconstitute that which may have been childhoods of the past" (Becchi; Julia, 1996, p. 12, our translation and italics). This *documentary corpus* is not something that is clearly identified, but an empiric record to be tracked and mobilized in a universe of times and places. It is a source to be built through fragmentary evidence that reaches us mediated by adults.

One contribution that can be incorporated to this task of producing sources for the history of childhood and the schooling of children is that offered by Carlo Ginzburg in his study of the evidential paradigm. The purpose of the method he proposes is to capture vestiges that are almost imperceptible, but that when suitably combined and mobilized provide access to individuals of the past who otherwise may have remained forgotten and anonymous. Similar to the methods of the Italian doctor Morelli, Sherlock Holmes or even Sigmund Freud, a historian studying childhood must identify the invisible in the visible, so that adult social constructs regarding children emerge from the documents. According to Ginzburg, three imponderable elements are needed: scent, vision and intuition (1989, p. 179)

The scent, of an historian investigating childhood, indicates places where it might be found more easily: the spaces children frequented or which were designed for them. The set of sources relating to schools – whether they are produced inside or outside of school – can therefore be the "way in" that enables access to childhood. *Intuition* relates to the ability to perceive in the midst of silence about or signs of a given experience, the gaps and chinks that reveal disputes, negotiations and constructs of individuals from the past with regard to childhood, whether these are produced by an institution (in this case the school) or by individuals in particular (presidents of the province, inspectors, legislators or teachers). The last element to be incorporated is the *vision*, through which careful and detailed analysis is performed and reveals to the beholder the particularities of the continuities or ruptures that form the mosaic of the constructs regarding childhood that reach us through sources produced by adults. One of these sources is school legislation, which we will now analyze.

### THE LEGISLATOR AND CHILDHOOD

During the period in which Paraná was a province, four General Public Education Regulations were introduced, in 1857, 1871, 1874 and 1876, respectively. In turn, these regulations were complemented by compulsory education laws in 1857, 1877 and 1883.

This investigation understood this *documentary corpus* – school legislation – as a set of "collective representations that embody, within individuals, the divisions

of the social world and organize the schemes of perception and appreciation by which individuals classify, judge and act" (Chartier, 1994, p. 104). Legislation as a representation came to be seen not as a reverie of the individuals that produce it, but rather as a matrix of differentiated discourses and practices (Chartier, 2002, p. 18) that interfere in the relations of actors who experienced given realities in the past. On the other hand, Luciano Mendes de Faria Filho (1998, p. 105) proposes that two kinds of factors were also considered when analyzing school legislation: the individuals involved in its production (the president of the province and the members of the province's Legislative Assembly) and the specific type of legislation to be dealt with (the specific laws; regulations; ordinances and other common acts).

In the province of Paraná the Legislative Assembly was responsible for producing laws and its members had ties with either of the two large driving forces of the local economy: growing and producing yerba maté in the coastal region and cattle trading and wintering in the Campos Gerais region (Pereira, 1996, p. 10-11), so that these two groups – yerba maté producers and cattle ranchers – were the dominant political oligarchies during the provincial period (Balhana; Machado; Westphalen, 1969, p.113). Magnus Pereira, when examining the legal and economic system in Paraná society at that time, suggests that one of these groups had a certain hegemony over the other and states that college graduates from Campos Gerais (the sons of cattle ranchers who had studied law at universities in São Paulo, Recife or abroad), never "gave much leeway to the yerba maté bourgeoisie, even when at the end of the nineteenth century the latter dominated the province economically." (Pereira, 1996, p. 21).

Conflicts therefore became inevitable. To make matters worse, Paraná politics in the mid eighteen hundreds, as in other parts of the Empire, was divided between the Liberal and Conservative Parties. The Conservatives were opposed to changes to the constitution and supported centralized government, while the Liberals sought provincial autonomy through decentralization (Carneiro, 1994, p. 35).

The majority of Paraná Liberals were cattle ranchers, while the high-ranking leaders of the Conservative Party in the province were merchants in the coastal region (yerba maté producers). (Balhana; Machado; Westphalen, 1969, p. 149). If these two somewhat antagonistic groups had anything in common, it was the edification (morigeração) of Paraná's population. The leaders of the province used this word, currently in disuse, to designate a set of attributes they considered to be positive (Pereira, 1996, p. 12). They saw themselves and spoke as edified people, who sought the edification of a population formed by farm workers, cattle herders, slaves and since the last quarter of the nineteenth century, immigrants and freed slaves. In an attempt to achieve this ideal, they sought to establish laws that regulated the social relationships of these individuals.

The role of the law in the province of Paraná, similar to that found by André Chervel when analyzing French laws, appears to have been more one of modifying or suppressing certain practices, rather than officially sanctioning a reality (Chervel, 1990, p. 190). By changing the population's customs and habits, the law encouraged the edification desired by the elite. From this perspective it was also necessary to regulate the functioning of an institution designed for a significant

part of the population: the school, a place for children, in which future expectations of generating new and edified people were confided. Among the various norms enacted to organize schools, this study looks first at the General Public Education Regulations. In a comprehensive way these regulations sought to organize the various aspects and levels related to schools, namely primary and secondary education, school inspection and the teaching profession.

In the first three years following Paraná's political emancipation in August 1853, public education continued to be governed by the 1846 regulations from the province of São Paulo, although some changes were made especially regarding school routines. The First General Public Education Regulations of the Province of Paraná were published in 1857 and remained in force until 1871. Then, in the five years between 1871 and 1876 three more Regulations were enacted. This may indicate the difficulty in imposing definition and order to education in the province, as well as the dynamism that characterized the phenomenon of education at that time.

The regulations focused on the individuals involved with schools: teachers, families and, in an almost imperceptible way, children, who were the majority in the school environment. Perhaps it had not yet been realized how children become central to this type of legislation, a centrality not quantitative but qualitative. Although the parts that deal with children take up little space among the broad concerns set forth in the Regulations (paragraphs upon paragraphs establish parameters for the teaching profession, inspection, employees and literary councils), when children do appear (more so in the paragraphs dealing with daily school activities), it is in relation to fundamental aspects of schooling, such as differentiated spaces in schools according to sex; the subjects of knowledge to be taught in male schools and female schools and the distinct forms of demarcating school age, both by means of compulsory schooling and by gender relations. As a whole, this evidence indicates an effort to order the time of childhood to fit the school mold.

A second *corpus* we will explore to elucidate a specific issue – that of defining the chronological profile of childhood – are the Compulsory Education Laws, which although they were not part of the Regulations, were in most cases drafted to accompany them. So much so that at times the proximity of the Regulations to the Compulsory Education Laws of 1857, 1877 and 1883 helps to explain phenomena that become intelligible when seen from this viewpoint. When dialoguing with legislation we will also refer at times to the reports of the presidents of the province and those of the General Inspectors of Instruction. These official reports, although they are discourses conditioned to a place, which permits some things and prohibits

In this article we have left aside discussions abut the compulsoriness of education, i.e. discussions that appear in the declarations of authorities regarding the convenience or not of applying it in the province as well as more general implications already known to historiography (see Faria Filho and Gonçalves (2004) regarding some of these issues). This does not suggest that this kind of interpretation is not important in the case of Paraná, but simply justifies a methodological choice, that sought to emphasize less explored aspects this type of phenomenon influenced in the past, such as school ages, which we shall look into in more depth further on.

others (Certeau, 2002, p. 77), point to meanings that are sometimes concealed in the opacity of the legislative text. As Faria Filho reminds us, ultimately they are the embodiment and expression of legal imperatives (Faria Filho, 1998, p. 94).

For these reasons, the interpretive path followed in the next section sought to understand the production of spaces, knowledge and times in plans concerning schooling in childhood in the province of Paraná. These are the most evident data identified from a preliminary analysis of the sources, which are interpreted and articulated with the analytical categories of gender and school age. The latter are conceptual tools that can be used for questioning the documents and that are present, albeit implicitly, in the *documentary corpus*. Let us see if childhood can be found in the "rigor of the law".

#### CHILDHOODS WITHIN THE "RIGOR OF THE LAW"

#### SPACES AND KNOWLEDGE

According to Peter Burke, gender is a social construction of the roles attributed to men and women at different times and places (Burke, 2002, p. 75-78). This allows us to understand that gender is also a form of representation of the social world, given that in different periods it postulates society's expectations about men and women as well as the schooling of boys and girls. What then did Paraná school legislation propose for male and female students in the 19<sup>th</sup> century? How were their childhoods differentiated as a result of gender representations?

We begin by looking at how school spaces were organized by Paraná education legislation. Historian Antonio Viñao affirms that school spaces are simultaneously *places*, given that both individual and collective experiences occur in them, and *spaces*, since they characterize and demarcate a territory (Viñao, 2005, p. 17). For this reason classroom interiors in the province of Paraná can be interpreted as both the *places* in which the different ways in which children experience schooling in childhood became established through their spatial layouts, and as *spaces*, given that the classrooms demarcated physical environments (in the plural) that were also diversified as a result of gender relations.

Only the first regulation, that from 1857, dealt with this subject. Considering the absence of any other provisions, this is a strong indication that this aspect may have remained historically unchanged in the experience of primary schools in Paraná at the time. Following are the provisions of articles 43 to 45 of the 1857 General Public Education Regulations (Paraná, 2004f):

Article 43 – There shall be a plaque above the door [of each] school bearing the imperial coat of arms, designating the parish, village or town to which it belongs and the level of primary education at the school.

Article 44 – Each male school shall have the following objects: a desk with a drawer and a chair with arms over a platform for the teacher, as well as a chest of drawers in which school materials shall be kept; two chairs for visitors; three rows of benches, desks leaning against the backs of the benches of the 1st and

2nd classes, with wooden holders for notebooks and fixed inkwells (one inkwell for every three pupils); a bench by the side of the teacher for punishments; a wooden blackboard for reading, writing and arithmetic exercises; a chart showing the general imperial weights and measures system and the value of coins on the side wall; quill pens, pencils, sponges, chalk, rulers, paper and books for poor boys, cards with the letters of the alphabet, two long pointers, hooks for hats, large clay water vases and two cups or mugs.

Article 45 – Schools for the female sex shall have the same objects, except that the benches shall be arranged in a square closed at the front by the teacher's desk, and between the benches and the walls there shall be tables with wooden holders for notebooks and fixed inkwells.

Article 43 sought to demarcate the landscapes – which were certainly not very urban in the recently created province of Paraná – a territorial *space* distinct from all others, precisely because it was dedicated to a singular activity: childhood schooling. If this demarcation was not made by a monumental building or a specific type of architecture (something that only appeared in the first years of the Republic), the sign over the door sought to do this to the best of its ability by identifying the type of location (parish, village or city) and whether it was a primary or secondary school.<sup>2</sup> Although the outside appearance of schools was "standardized" to a certain extent, in keeping with the legislature's wishes, the interior organization left no room for doubt: they were to be differentiated according to the sex of the pupils attending.

Although article 45 may give the impression that the only difference was the layout of the benches, an examination of the floor plans of a classroom in a boys' school and in a girls' school as proposed by the 1857 Regulations, as well as by earlier regulations issued in 1856, helps clarify how the layout out of the school *space* makes it a *place* of experiences of childhood schooling that are differentiated according to gender relations. (Figures 1 and 2)

Very probably following the French Law on Primary Education, known as Guizot's Law (France, 1833, art. 1), the influence of which is already known to historiography in relation to both Brazil and Paraná (Faria Filho; Lopes, 2009, p. 26; Oliveira, 1986) and the 1854 Brazilian Couto Ferraz Law (Brasil, 1854, art. 48), the 1857 Regulations divided primary education into two levels: elementary and higher. According to the reports of the provincial presidents, it would appear that the latter level of primary schools existed in very few places in the province. This division was abolished in 1871.

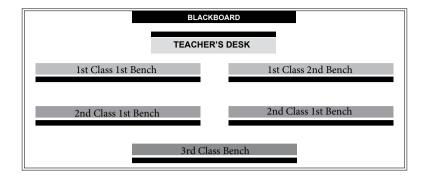


Figure 1 - Plan of the inside of a boys' school in the Province of Paraná

Source: Paraná (2004f).

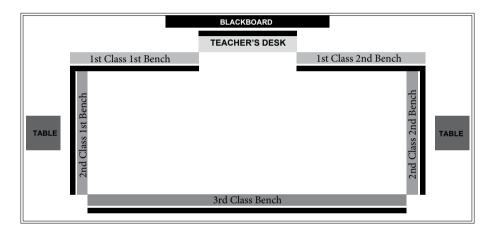


Figure 2 – Plan of the inside of a girls' school in the Province of Paraná Source: Paraná (2004f).

In compliance with the provisions of the law and as shown in the plans, the interior spaces of boys' schools was completely different from those for girls in the way that the classes were divided to be able to use the simultaneous method.<sup>3</sup> Whereas boys were to be seated one behind the other, facing the blackboard on the wall, girls sat in a circle, facing each other and in a more awkward position for copying lessons from the blackboard. A detail found in article 44 suggests there

<sup>3</sup> The simultaneous teaching method was used in the Province of Paraná, whereby three classes were taught at the same time. The first two classes sat on two benches each and the third class sat on a single bench. (Paraná, 2004a). Even though it dates from legislation prior to the first Regulations, this method was used throughout the provincial perssiod, very probably bringing with it the spatial layout required by the Regulations.

was slightly more comfort for boys than for girls regarding the use of classroom materials, since for boys desks placed against the backs of the benches of the 1<sup>st</sup> and 2<sup>nd</sup> classes with wooden holders for notebooks and inkwells. For girls, the tables containing these utensils were behind the benches, so that for certain tasks they had to turn their backs to the others and face the wall! The (awkward) layout of the girls' schools may have been intended to give them more space on the benches for a subject exclusive to their sex: needlework, so that the *space* arranged in this way could become a *place* for experiencing relationships considered to be proper to the female universe, contrary to the relationships intended to be established in the boys' classroom.

According to Inspector General Joaquim Ignácio Silveira da Mota – the author of these regulations – teaching needlework in the province's schools was of extreme importance:

Because doing needlework is a woman's natural job, whether she is born in a palace or a shack. According to Madame Campam, from the earliest age they must be accustomed to being calm, decent, modest and with time emphasize grace. They need to acquire habits at an early age that keep them sedentary. (Silveira da Mota, 1856, p. 34).

As such, in the Inspector's opinion, learning needlework would enable girls to acquire habits and attitudes considered to be more suitable to women while they were still children. In particular ensuring that they acquired the habit of being sedentary, which was important precisely because people whose livelihood depended on growing yerba maté and rearing and driving cattle were constantly moving and this put serious limitations on the state's ability to impose its power over their lives. In this way, also by means of knowledge, the classroom *space* was gradually transformed into a *place*. This transition was strengthened, furthermore, by the subjects that could be taught to boys and girls and which underwent subtle changes during the provincial period, as can be seen by comparing the four Education Regulations (Table 1).

Making use of *vision* as indicated by the evidential paradigm, we were able to notice that the first regulations of 1857 established greater differentiation between the subjects to be taught to boys and girls. Within the realm of representations, grammar and the "rule of three" [cross multiplication] were only necessary for boys, while needlework was exclusive to girls. From 1871 onwards, however, boys and girls were to learn the same subjects. The only differential continued to be needlework in girls' schools. What can these *indications* reveal?

Table 1 – Primary Education Subjects for both sexes in the Province of Paraná (1857-1876)		
Year	Boys	Girls
1857	Reading and Handwriting Grammar of the National Language Religion Principles of Christian Moral Order and Doctrine General Notions of Geometry Arithmetical Theory and Practice up to the rule of three Imperial System of Weights and Measures	Reading and Handwriting Religion Principles of Christian Moral Order and Doctrine General Notions of Geometry Arithmetic (the 4 operations) Imperial System of Weights and Measures Needlework
1871	Reading and Handwriting Grammar of the National Language Religious Education Moral Education Arithmetic as far as proportions and the metric system of weights and measures	Reading and Handwriting Grammar of the National Language Religious Education Moral Education Arithmetic as far as proportions and the metric system of weights and measures Diverse forms of needlework
1874	Reading and Handwriting Grammar of the National Language Religious Education Moral Education Arithmetic as far as proportions and the metric system of weights and measures	Reading and Handwriting Grammar of the National Language Religious Education Moral Education Arithmetic as far as proportions and the metric system of weights and measures Diverse forms of needlework
1876	Reading and Writing General Notions of National Grammar Religious Education Moral Education Elements of arithmetic and geometrical drawing, including the metric system Geography and History, particularly that of the Province	Reading and Writing General Notions of National Grammar Religious Education Moral Education Elements of arithmetic and geometrical drawing, including the metric system Geography and History, particularly that of the Province Housework

Sources: Paraná (2004c, 2004d, 2004f, 2004g).

With regard to *differentiation between subjects*, the evidence indicates that the schooling project established by the legal text sought to offer greater opportunities for taking part in public life in Paraná to men than to women. What was intended for women was looking after the household and the "art" of domestic chores. All the more so when we consider that the idea defended by the first president of the province, Zacarias Góes de Vasconcellos, that to "offer education to women is to

create a school in each family" (Vasconcellos, 1854, p. 20) may have remained in circulation. Although this justified not excluding girls from education, it indicated and delimited the space in which they could operate.

However, in view of the finding of a certain effort to make equivalent the subjects to be taught in male and female schools with the 1871 Regulations, it is opportune to dialogue with the investigations of Maria Cristina Gouvêa (2003) into schooling in the province of Minas Gerais, to find clues that may help to interpret this phenomenon in Paraná. Gouvêa sees the school not only as a place for preparing women for domestic life, but also for the world of work, given that in the nineteenth century many of them made the most of their knowledge of needlework to earn a living for themselves and their kin (idem, p. 10). Based on analysis of the sources she uses (legislation, teachers' letters and the accounts of travellers in the eighteen hundreds), this historian also relates the availability of schooling for women and their entrance to the labor market via the teaching profession, given that

To work as teachers, it was essential for girls to attend elementary schools and learn the basic contents allowed to them, so that at 13, they could apply to continue their studies at normal schools. It was in this way that the feminization [sic] of teaching impacted elementary education, as the latter was a prerequisite for preparing to be a teacher. Even those teachers who did not attend normal schools needed to be educated, and public schools were a privileged space for these social strata. (*idem*, p. 9).

Returning to the context of Paraná, one hypothesis that can be raised based on our sources and on the experiences identified in the province of Minas Gerais, is that a possibility of changes to the legislation that defined the roles of each gender in society from an early age and delimited the female presence to private domains arose as the need for women to become teachers increased. Teaching was associated to a private function, with schools considered to be extensions of the school mistress' house. This combined with the increased availability of public education for girls and the preference that this be given by mature or young ladies, so that differences in the curricula for boys and girls were gradually reduced, given that the examination qualifying women as teachers required, among other things, proficiency in the subjects to be taught (Paraná, 2004f, Regulamento de 1857, art. 73; Paraná, 2004d, Regulamento de 1871, art. 43; Paraná, 2004c, Regulamento de 1874, art. 68, which added elementary notions of geography and national history).

Considering there were still no teacher's colleges in Paraná, a girl student who had access to elementary knowledge while the 1857 Regulations were in force would have difficulty becoming a teacher once the 1871 Regulations came into force since she did not have knowledge of the grammar of the national language or of the "rule of three" and proportions. This may be why the subjects taught at boys' schools and girls' schools became the same, since this would ensure that by having access to schooling in their childhood, girls would have the basic knowledge needed to become teachers, either at girls schools or at the mixed gender schools that were established at the end of the provincial period.

An indicator that this strategy did indeed exist and had the desired effect are the statistics about teachers in the province of Paraná. They reveal that there was a gradual feminization of teaching – understood here as the entry of women into school spaces to become teachers, resulting in a reduction in the number of male teachers – in the provincial/imperial period, which even surpassed expectations women had to teach at girls' schools. This further strengthened the need for girls to have the same access to knowledge as boys.

When the province of Paraná was created in 1854 there were 8 female teachers and 17 male teachers. (Vasconcellos, 1854). By 1882 the number of female teachers was almost equal to the number of male teachers: 42 women and 46 men (Marcondes, 1882). By 1894 women teachers were the majority in what was now the state of Paraná: 82 women versus 23 men. (Munhoz, 1894). These numbers could not have changed if, among other factors, it had not been possible for women to acquire the knowledge needed for them to be teachers. The production of new knowledge for girls' schools shows signs of the creation of another gender representation during childhood: girls as future teachers. So much so that in 1882, the discourse of another Inspector General, Moysés Marcondes, contained an opinion very different to that expressed by Inspector Joaquim Ignácio Silveira da Mota in 1856 as cited above. In Marcondes' view (1882, p. 7, our italics)

It is a fact recognized by more developed countries that women are naturally better endowed than men to be primary school teachers. This truth is intuitive if we consider that in order to be a mother a woman needs to know all the recesses of a child's heart. Furthermore there are other advantages, which have social importance, to the fact that most teachers are women. Teaching is a career that offers an honest way of life, that can be undertaken by many women without other means of support and will also serve to ensure the domestic happiness of poor families.

#### SCHOOL AGES

Another factor to be considered in the legislation regarding childhood is the gender expectations established in the determinations concerning school age.

By analyzing the concept of school age historiography has sought to designate the period of childhood considered most adequate for acquiring knowledge through schooling (Gondra, 2007; Gouvêa, 2004). If we agree with Norbert Elias that time is a social construct, resulting from the conviviality of human beings and their interdependence (Elias, 1998, p. 15), representing "a very high-level synthesis, given that it links positions that are situated, respectively, in the succession of physical events, in the movement of society and over the course of individual lives." (*idem*, p. 17), the definitions of ages, as cross-sections of this social time in the lives of individuals belonging to social groups (in our case, children at school) winds up considering not only their physical and intellectual development, but also the place and function they take on (or are coerced to take on) in the group of which they are part.

As such, the definition of age is associated with a social role that, as we have seen, was established in different ways for boys and girls. To understand how legislation in Paraná achieved this differentiation by age group, we can begin with an *indication* found in the 1874 Education Regulations (Paraná, 2004c, art. 24).

Children younger than 5 cannot be enrolled and cannot attend schools. (Paraná, 1874, art. 9°, § 3°) Primary education is compulsory for all male children age 7 to 12 and for all female children age 7 to 10 (...)

When examining the 1874 General Public Education Regulations it can be seen that school age has been produced in two ways in this legal text: through the cut-off point for the age at which children were allowed to attend school – enrollment at five years or over – and the age group for which childhood schooling was compulsory.

Nevertheless we must consider that not only this version of the Regulations delimited the age at which children were allowed to attend school and the age range for which it was compulsory for children to attend school. Compulsory schooling had already been decreed in the Province at other times. As such, to develop historical interpretations, it is appropriate to have recourse to what Ginzburg called *high intuition*, the "ability to move immediately from the known to the unknown, based on clues" (Ginzburg, 1989, p. 179). Intuition, therefore, proposes that we should also explore three other legal texts – the 1857, 1877 and 1883 Compulsory Education Laws – to verify where this clue found in the 1874 Regulations can lead us.

The permitted enrollment age changed little in the General Public Education Regulations between 1857 and 1876, ranging from 5 to 15-16, with no differentiation between boys and girls. An exception is that between 1871 and 1876 no maximum age for school enrollment was set. On the other hand, the Compulsory Education Laws were much more flexible with regard to age range and in the differentiations they occasionally established between boys and girls in relation to compulsory schooling ages.

In December 1857, an instruction was issued regarding articles 33, 34 and 35 of the Teaching Regulations of the same year, concerning the implementation of compulsory education for boys and girls from 7 to 15 (Paraná, 2004b, Proposta de 1857, art. 1°). In 1874, as mentioned previously, compulsory education ceased to cover the same period in the lives of girls and boys. Girls had to attend school from the ages of 7 to 10, and boys from 7 to 12. In 1877, another Compulsory Education Law did not differentiate between boys and girls but stipulated that they could not leave school before they were 10-years-old, suggesting that this was the age cutoff established by this law (Paraná, 2004h). The final alteration was made in 1883 when the last Compulsory Education Law was sanctioned in articulation with the 1876 Regulations. This law provides for compulsory schooling for boys from 7 to 14 and girls from 7 to 12 (Paraná, 2004e, Regulamento do Ensino Obrigatório, 1883, art. 1°). In our study into the age at which schooling was permitted and the ages at which it was compulsory, the gap between what remained the same and

what was different is the space open to our interpretation. Let us begin with what remained the same: the age at which schooling began.

The transition from five to six years of age as a differentiating mark in the experience of childhood was indicated by Comenius back in the 16th century, when he stated that before this age the mother's lap should be the school during childhood, while between the ages of 6 and 12 children should be educated in school (Comenius, 2001, p. 114). This European educationalist identified a specific time in the life of a human being – from 6 to 12 years of age – as being propitious to acquiring knowledge different to that previously learned in the bosom of the family and different from that which must be learned afterwards. The initial demarcation given by the Paraná legislation appears to have been established, to a certain extent, in keeping with this educationalist's opinions and, above all, in keeping with the Couto Ferraz Law, which used the same points in time (Brasil, 1854, art. 59)<sup>4</sup>. So much so that, like the law of the Municipality of the Court, it did not differentiate between boys and girls. This suggests that it was not at the onset of schooling that gender relations were established through age, but rather the form of schooling (such as the subjects taught and the spaces as we have already discussed) and, in particular, the obligation to remain at school to receive instruction.

Nevertheless, the fact of recognizing "inspiration" from Corte and Comenius should not lead us to think that the "ideas in circulation" were mechanically applied to the reality in Paraná. In regard to the age for beginning childhood schooling, in 1856, on the eve of the approval of the first Regulations which were to maintain 5-6 years of age as the time for starting school, Inspector Joaquim Ignácio Silveira da Mota noted that it was common for parents working in rural activities to be accompanied "by the entire family and for children six and older to work with them" (Silveira da Mota, 1856, p. 11).

Taking the Inspector's observation as historical evidence, which, according to Edward Thompson, has both an intentional and an unintentional nature (Thompson, 2009, p. 41), it can be questioned and interpreted based on both these dimensions. In the first case, the Inspector demonstrates knowledge of a common fact at that time: at six years-old a child was already considered as part of the workforce needed to help its family survive. Unintentionally, however, this evidence reveals that by defining six as the age when a child should begin schooling the idea clashed with needs of these families and expressed the intention to dedicate the time in children's lives "from six years and older" to schooling.

School age in the province of Paraná thus began not only in the period that Comenius considered children to be ready to learn, but also at the same time that a boy in Paraná was ready to work in the fields with his parents. This would become a source of open tension between families and schools throughout the provincial

<sup>4</sup> With regard to this aspect, it is important to state that neither Paraná legislation nor the law of the Municipality of the Court could have been influenced by the French law of 1833 – since it did not establish ages for entering school – nor by the studies of Condorcet at the end of the eighteenth century, since the latter proposed that schooling should begin at nine years of age (Condorcet, 2008, p. 72).

period, in a dispute as to which of them should possess the time of life covered by childhood.

Having seen what remained the same in the experience of the demarcation of childhood schooling, let us now look at *what was different*. José Gonçalves Gondra, when relating the construction of chronologies of life to types of school, draws attention to an element that may have influenced the definition of ages subject to compulsory schooling. In the view of this historian, the division and segmentation of ages act jointly to unify that which is found in each of life's stages, this

Unification also has repercussions in the actions of the state and the way it is disposed to provide certain services to very young children. In this way the definition of childhood may be linked to the State's readiness to attend to a given age group or level of schooling. (Gondra, 2007, p. 233)

If on the one hand, in agreement with Gondra, compulsory education helps to give visibility to childhood, on the other hand it also gives visibility to the state's readiness (or not) to attend to those groups that it helped to identify and obliged to go to school. In this sense, in the province of Paraná, legislation produced different periods for compulsory education for boys and girls. Moreover, the laws reveal the different attitudes of legislators with regard to keeping them at school to ensure that through education they would acquire scholastic knowledge.

In this way, although both boys and girls could begin school at six years-old, the period during which they were obliged to remain at school – and which the state obliged itself to guarantee their education – was not the same, so that a clear concern can be seen about ensuring that boys would stay in school longer than girls. As such, in 1857, and again in 1871, the law sought to impose compulsory schooling for both boys and girls, for a period of eight years during their childhood and this coincided with the school age. In 1874, the period of compulsory schooling became differentiated: girls and their parents were subject to the "rigor of the law" for three years of their childhood, while for boys this period was five years. In 1877, boys and girls were once again a concern of the legislators, and were required to go to school for a period of approximately four years. After the final change, which remained in force until Paraná was no longer a province and became a state, girls were obliged to attend school for five years and boys for seven years.

The documents examined do not allow precisely indicating the causes of these changes. Nevertheless, these findings can be explored in greater depth by using other documents. What can be said with some certainty is that by introducing compulsory education, the legislators wanted to privilege children in some way. It is not difficult for us to identify who would be most benefited by the legislation relating to this important subject within the context Paraná...

According to Giovanni Levi and Jean-Claude Schmitt, "individuals do not belong to age groups, they pass through them" (Levi; Schmitt, 1996, p. 9). Therefore, a final aspect that we would like to address with regard to school ages and compulsory education is that they created different childhood experiences at school. It is not a case of compartmentalized childhoods but rather overlapping

childhoods that could be lived, or to use Levi and Schmitt's expression, passed through by children in many ways and manners.

As such, a child starting school at the youngest allowed age, but prior to the compulsory age, may have experienced a childhood in which attending school was not the result of legal coercion. On the other hand, if a child attended school during one of those periods of life subject to compulsory education, its experience of childhood may have been different than that of the former. Finally, if a child continued to attend school even after the end of the compulsory period, it could have gone on to experience a childhood free from coercion to remain at school. It cannot be denied that the child we are talking about is hypothetical. But whether when passing through these childhoods proposed in differentiated ways by the legal text, nineteenth century Paraná children may have had different possibilities to be and live as children, depending on how the law defined their relationship with school, is an issue that deserves to be explored in the future.

## CONCLUSION

Examining the legislation regarding public education in the province of Paraná in search of vestiges of the ways in which the time of childhood and the teaching practices aimed at that time in life were defined by legislators has helped to perceive the centrality that children and childhood had in this *documentary corpus* and in the organization of primary school education itself in the imperial period, based on historical experiences in one of the provinces of the empire.

The laws established by Paraná's legislators, based on the questionings to which they were submitted, defined a dal form of schooling of the time of childhood,: one form for female childhood and another for male childhood. This differentiation was evident not only in the mobilized spaces and knowledge, but also in the government's intention to create mechanisms for compulsory education under which boys were to be subject to attending school for a longer period than girls. Nevertheless this did not remain the same throughout the period analyzed. This indicates that this may have been a moment of decisions and definitions regarding this matter in Paraná.

Although the plans for school education established in the legal text sought to rigorously demarcate and delimit the social places of childhoods, they reveal the tension between social roles attributed to and performed by women. This is seen in that after the 1870s, girls began to be seen as future teachers, and girls were provided the same knowledge as boys. In this way, the law as a means of ordering social relationships could not fail to be related with the very flow of the social experience it sought to organize, in which the need to insert women into the world of teaching interacted with the schooling process itself, altering the way it was proposed for female childhood.

Although the purpose of this article was not to examine the category of social identity, it must also be stated that the project for the schooling of children put into place in the province of Paraná was aimed, above all, at poor boys and girls belonging to middle class families in urban areas and farming families in rural

areas. Education was intended to ensure that these children received the edification (morigeração) desired for Paraná's population in the early years of life. During the period studied, for some of these poor young girls, teaching began to be seen as a profession capable of ensuring that they earned a living and lead an honest life. To a certain extent, this education had its first steps during the process of female childhood schooling, as found during the period studied here.

Finally, working with the notion of "schooling of childhood" indicated that what legislation could and indeed managed to do was nothing more than this: propose mechanisms and practices so that the time of childhood would be modeled and adapted to the imperatives of the form of the school, which in turn was intended to build an edified population, with modified habits and that embodied their social roles. Nonetheless, by seeking to educate a social time, the laws had the clear intention of influencing the individuals who were living in that particular time in life. Knowing that childhood informs the concrete historical experiences of being a child, future research could demonstrate how this "schooling of children" in Paraná was appropriated and how it informed the schooling experiences of the children who were there at the time.

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