

Article

Constituting the American Higher-Education Elite: Rush and Jefferson on Collegiate Civic Engagement

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Abstract: The foundation of new centers for civic education has sparked a new round of debate over the political independence of the public university. Do legal mandates by state legislatures undermine academic freedom? The underlying debate concerns alternative visions of elite formation, as comparing Benjamin Rush and Thomas Jefferson's arguments during the Founding period makes apparent. Both believed that the American constitutional order depended on educated citizens of a certain character, requiring coercive authority in education to instill moral and political commitments. But whereas Jefferson made an exception for educational coercion, Rush viewed education as an aristocratic element that could complement democracy. Rush's prioritizing of duties over rights offers a more helpful framework for the task of reforming elite education today to restore trust between leaders and people.

Keywords: constitutionalism; civic education; legal coercion; academic freedom; Benjamin Rush; Thomas Jefferson

1. Introduction

Today, we take for granted the fact that universities play a decisive role in forming the American elite in culture, politics, business, and media. We, therefore, implicitly realize that proposals to foster better university-level civic education in higher education, and at public universities in particular, immediately raise controversial questions about what kinds of elites we wish to see wield influence in our national life.¹ Most who have reflected on civic education across the political spectrum in recent years agree that the state of civic knowledge in the United States today is woefully deficient (Gutmann 1993; Nussbaum 1997; Callan 1997; Allen 2016; Carrese 2024). Survey data suggest a grim status quo.² Even if the legal authority of state legislatures to set policy at state universities is not in dispute, the new centers and schools of civic education recently established in a number of states, including Arizona, Florida, Texas, North Carolina, Ohio, and Tennessee, have proved highly controversial (Pettit 2023; Cherwitz 2023; Nichols 2023). While the most common argument of critics is that creating civic education programs through legislative mandate infringes the independence of the university and the academic freedom of faculty, the deeper dispute concerns the role and character of educated elites in our republic.³ Assuming that educated elites can, in principle, be beneficial due to distinctive excellences of their character, knowledge, and ability, this article contextualizes the current debate by articulating two competing visions of elite education that, in America, have been present since the Founding period, focusing on Benjamin Rush and Thomas Jefferson as both theo-



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¹ Carrese (2023) offers a summary statement of the vision of these centers.

² West (2023) summarizes the data on civic education.

³ The American Association of University Professors' founding statement on academic freedom focused on the *Lehrfreiheit* of the individual teacher to inquire, teach, and speak according to his or her beliefs about the truth. See [Declaration of Principles on Academic Freedom and Academic Tenure \(1915\)](#).

rists and founders of higher education.⁴ Both authors illuminate the relationship between law and education: constitutional provisions rely upon the character and practices instilled in the citizenry because laws are not self-executing, but education presupposes authority between teacher and student. I argue that Rush's vision provides better guidance for public higher education today because, as a classical republican, he openly acknowledges the tension between elites and popular governance but is able to make it a fruitful tension by focusing on inculcating personal virtue to restrain elites and common civic commitments to bond elites and people. Jefferson's narrower focus on knowledge of use according to the individual's own judgment follows from his more liberal republicanism and seems superficially more egalitarian.⁵ But, because Jefferson makes education an anomaly in his larger understanding of human nature, Jeffersonian education tends to produce technocracy and would exacerbate rather than ameliorate the resentments that educational meritocracy has sown in American society today.⁶

The American Founders did not take elite education for granted as we tend to do. Conscious that the United States was constituted without a hereditary aristocracy and yet that it would need expert skill, they certainly did not assume that private colleges, like the ones that would become the Ivy League, would be enlisted to train a national elite. Some feared that elite education would undermine the popular character of the government. Those like Jefferson and Rush who did value it viewed it as a public responsibility and reflected consciously on the institutional form that it should take, debating whether federal or state government was the proper vehicle to provide for it. Both sought to cultivate excellence, but they disagreed on whether excellence was primarily natural talent or primarily civic virtue. Should the education of elites focus on identifying and promoting the most talented from the whole of society, or should it emphasize channeling the already ambitious into useful roles and restraining their propensity for domination? The former approach, familiar to us today as meritocracy, requires a definition of the relevant abilities to select for, whereas the latter obliges education to aim at cultivating not just the intellect but also the character, as in classical aristocracy.⁷ These contrasting philosophical assumptions will yield different curricula and institutions. Jefferson's vision for the University of Virginia has inspired subsequent arguments for meritocracy, while Rush's argument for training a small cadre of professional leaders at a national university who had already been steeped in republican and religious piety at a state college has largely been neglected. Rush's more hierarchical vision of education highlights some of unaddressed tensions in Jefferson's thought: between excellence and equality, as well as between self-government and the need for leadership. Reconsidering their arguments will help us to better understand the task of civic education to prepare leaders at public universities today, a particularly urgent debate. A recent title by the president of Johns Hopkins University, *What Universities Owe Democracy*, adopts a promising approach: reconnecting the great privileges of the contemporary university to its civic responsibility (Daniels et al. 2021). Four years of residence on the Acropolis of an elite college campus is a rare form of privilege, so to produce elites worthy of their fellow citizens' trust will require them to share a commitment to a common ethical, political, and intellectual tradition, the goal of new programs in "civic thought" (Storey and Storey 2023). These projects should learn from Rush because his anthropology and political philosophy illuminate the relationship between authority and liberty in education.

⁴ Cooper (2024) has helpfully surveyed the landscape of the American Founders' thought on civic education, including a discussion of Jefferson and Rush (pp. 2–5). He emphasizes the core commonalities whereas I focus more divergences between them.

⁵ For classic statements of the distinction between liberal and classical republicanism and their competing roles in the American Founding, see Bailyn ([1967] 2017), Pocock (1975), and Wood (1993). Constant (1988) made the distinction one of ancient and modern as well as of individual and collective liberty. For a contemporary overview of the Founders' areas of agreement and disagreement, see West (2017).

⁶ For a summary of this discontent with meritocracy and one account of its causes, see Sandel (2020).

⁷ See Hankins (2019) for a more comprehensive definition of merit as reflecting character, not just intellectual potential.

2. Rush's Call for a National Leadership University

Benjamin Rush's bold "Address to the People of the United States," published in January 1787, during the ferment that led to the calling of the Constitutional Convention, promotes a national university to train a national leadership class (Rush 1998). This brief text claims that winning the war was not sufficient to achieve the American Revolution because, "It remains yet to establish and perfect our new forms of government; and to prepare the principles, morals, and manners of our citizens, for these forms of government, after they are established and brought to perfection (Rush 1998, p. 1)". This agenda to working out the Revolution's implications consists of a two-pronged approach: both constitutional reform and educational innovation.⁸ The former is not surprising, since Rush was a Federalist and supporter of a stronger central government to replace the Articles of Confederation. But, the two aspects prove to be integrally connected for Rush; one of the key reasons for the weakness of the Articles is that the entire government consists of a single legislature of amateurs with short terms (Article V establishes that "no person shall be capable of being a delegate for more than three years in any term of six years") (Articles of Confederation 1781). This provision reflects an excessively democratic prejudice in favor of the people, Rush argues. Rather than being viewed as the sovereign rulers, they should be thought of as only the source of power, which they hand over to their representatives on election day.⁹ Yet, Rush also insists on an intense civic republicanism, in which every citizen belongs to the polity before belonging to himself. This entails a priority on *unity* among the people and on excellence among the elite. Not all are required to have or develop exactly the same virtues and capacities precisely because all are contributing so integrally to the common whole.

Such a strong trusteeship view dramatically raises the stakes of selecting the right representatives.¹⁰ Rush makes an ardent case that these should be knowledgeable experts: "The custom of turning men out of power or office, as soon as they are qualified for it, has been found to be as absurd in practice, as it is virtuous in speculation. . . Government is a science; and can never be perfect in America, until we encourage men to devote not only three years, but their whole lives to it (Rush 1998, p. 3)". This characterization of government as scientific echoes Hamilton's ambition to perfect "the science of politics (Rossiter 2003, p. 9)". To ensure that American citizens understand government in this way, as a science that requires the wisest to rule, Rush argues that "it is absolutely necessary that knowledge of every kind, should be disseminated through every part of the United States (Rush 1998, p. 3)". Somewhat counterintuitively, Rush does not go on (in this particular text) to develop an account of public or universal education. His immediate priority is rather to train the rulers by setting up a federal university at Congress' expense.¹¹ The curriculum is designed specifically to produce statesmen, involving "every thing connected with government, such as history—the law of nature and nations—the civil law—the municipal laws of our country—and the principles of commerce (Rush 1998, pp. 3–4)". Rush adds, to ensure that commerce is not understood narrowly as meaning only foreign trade, that "oeconomy," "the principles and practice of agriculture and manufactures of all kinds," is essential (Rush 1998, p. 4). This university will also be a military academy, "to teach gunnery-fortification-and every thing connected with defensive and offensive war (Rush 1998, p. 4)". In today's terms, Rush's vision resembles West Point as least as much as it does Harvard Kennedy School. His most dramatic proposal for this school is that "the honours and offices of the United States should, after a while, be confined to persons who had imbibed federal and republican ideas in this university," which would surely

⁸ For John Holder, Jr., Rush's distinctive role among the Founding thinkers is to insist and elaborate on the interdependence of education and a republican regime (Holder 1988).

⁹ Already in 1777, Rush had criticized the state constitution of Pennsylvania, with its unicameral legislature, as too simple and too close to the people. See (Rush [1777] 1947).

¹⁰ On the history of trusteeship theory, see Conniff (1977).

¹¹ For an overview of the history of this idea, one endorsed by nearly all the major national figures of the early Republic, see Castel (1964).

have created a very small elite class to govern the nation (Rush 1998, p. 4). Eligibility for election or appointment would be confined to these national university graduates, a move that would narrow the pool of representatives far more than any measure proposed in the *Federalist Papers*.

3. Rush on the State College

Rush makes explicit that the education offered at this federal university is one of, in contemporary terms, the graduate level: “young men should be encouraged to repair [there], after completing their academical studies in the colleges of their respective states (Rush 1998, p. 4)”. He, therefore, presupposes that the foundation gained at the state level will have adequately prepared these men to learn to govern. Rush both served as a founding trustee of Dickinson College, PA, and sketched a theory of the role of the state college. Two 1786 essays, “Plan for the Establishment of Public Schools and the Diffusion of Knowledge in Pennsylvania” and “Thoughts Upon the Mode of Education, Proper in a Republic,” the latter a very Lockean title, predate the nationally oriented “Address to the People of the United States”. These essays to his fellow Pennsylvanians sketch out his vision for his own state; we may infer that he assumes that other states would set up similar systems (Rush 1965a, 1965b). The system consists of a free school in every district of one hundred families, an academy in each county, four colleges, and one state university. The schools are to be supported by their own endowments of land to enable them to become self-sustaining (Rush 1965a, pp. 4–5). Rush claims that this system will offer benefits in six different dimensions, apparently seeing no conflict between them: it fosters religion by “removing prejudice, superstition, and enthusiasm,” it favors liberty because “a free government can only exist in an equal diffusion of literature,” “it promotes just ideas of laws and government,” it nourishes manners by spreading “the pleasures of society and conversation,” it refines agriculture, and it perfects manufacturing (Rush 1965a, pp. 3–4). Yet, the goal that Rush spends the most time emphasizing is not part of his opening list: instilling a unifying patriotism in the coming generation to overcome cultural and sectional differences. Like Noah Webster, Rush is concerned with building up national pride and a unique national identity in the fledgling United States.¹² Education should be undertaken at home in America, not by sending sons to Europe, since often “the principle of patriotism stands in need of the reinforcement of *prejudice* (Rush 1965b, p. 9)”. It is not enough to tell sons that they should love their country: they must be brought up to *feel* it by familiarity. Cultivating this attachment is a particularly urgent need given the volume and variety of immigrants coming to Pennsylvania. Rush acknowledges that the German speakers at Manheim, PA, might have distinct educational needs but insists that by and large education should serve assimilation: “Our schools of learning, by producing one general and uniform system of education, will render the mass of the people more homogenous and thereby fit them more easily for uniform and peaceable government (Rush 1965b, p. 10)”.

An essential aspect of the culture to which Rush wants to assimilate these newcomers is a pious Christianity friendly to republican principles. He sees religion and republicanism as mutually reinforcing: “Without [religion], there can be no virtue, and without virtue there can be no liberty (Rush 1965b, p. 10)”. The claim that virtue is necessary for republican liberty echoes Montesquieu, but Montesquieu, in 1745, claimed that republican virtue belonged to the ancient world, not to modern commercial societies.¹³ Rush explicitly praises Spartan education for instilling “the early attachment of youth to the laws and constitution of their country,” but he assumes that Christianity can supply the selfless devotion of the ancients and overcome self-interest (Rush 1965b, p. 10). He explains that “every precept of the Gospel inculcates those degrees of humility, self-denial, and brotherly kindness which are directly opposed to the pride of monarchy and the pageantry of a court

¹² For an extended comparison between Rush and Webster’s visions, see Park (2017).

¹³ See De Secondat and Montesquieu (1989), Book III, Chapters 3 and 5 on virtue as the principle of ancient republics but not of modern monarchies.

(Rush 1965b, p. 11)". Rush further asserts that Christianity supports republican principles not merely indirectly but as a matter of its doctrinal essence. "A Christian cannot fail of being a republican. . . [the Genesis creation story gives] the strongest argument that can be used in favor of the original and natural equality of all mankind (Rush 1965b, p. 11)". Here, he assimilates the state-of-nature doctrine of Locke and the Genesis story to one another: since all are equally Adam and Eve's children, all legitimate government must stem from consent.¹⁴ Two of Rush's goals—homogeneity and religious piety—seem to be in serious tension: how can one foster a unifying culture through Christianity if one of the principal sources of social tension in the early United States was sectarian divisions among Christians? Even as the vast majority of colleges and universities founded in this period were the work of churches, most other efforts at founding state universities, such as Jefferson's in Virginia, were officially non-sectarian. Yet, Rush denies that an ecumenical Protestant or Deist lowest-common-denominator doctrine will serve the purpose of character formation. The pupils must belong to a particular institutional church if they are to gain the moral benefits of religion. Despite his endorsement of state-of-nature philosophy earlier in the essay, Rush argues, "Man is naturally an ungovernable animal. . . When we add the restraints of ecclesiastical to those of domestic and civil government, we produce in him the highest degrees of order and virtue (Rush 1965b, p. 12)". This suggests that Rush believes there are three natural spheres of authority: family, church, and state, and that the first two together may produce virtuous members of the third.

This focus on citizenship as the individual's most important membership, and perhaps most profound duty, runs throughout Rush's "Thoughts," peaking at his insistence to "Let our pupil be taught that he does not belong to himself, but that he is public property (Rush 1965b, p. 14)". He calls for strict and consistent discipline in the classroom to supplement family discipline, on the logic that "the most useful citizens" "have never known or felt their own wills until they were one and twenty years of age (Rush 1965b, p. 16)". To further the overarching goal of making citizens useful to the state but in a manner in contrast to the Spartan model, Rush does not want students secluded together in "monkish ignorance" of the world but living with their families (Rush 1965b, p. 16). The curriculum, as well as the experience of schoolground discipline, is intended to "convert men into republican machines (Rush 1965b, p. 17)". Until the age of twelve, the focus is on basic skills: reading, writing, and arithmetic, especially on inculcating a love of "our American language" as opposed to foreign or ancient ones (Rush 1965b, p. 20).¹⁵ At the university level, the goal is a liberal education for a governing elite "to form the necessary and leading members of the republic. . . a great part of the divines, lawyers, physicians, legislators, soldiers, generals, delegates, counselors, and governors of the state (Rush 1965b, p. 21)". This requires the development of eloquence, which "often sets the whole machine of government in motion (Rush 1965b, p. 19)". History is important because it is a prerequisite for "the science of government (Rush 1965b, p. 19)". But, Rush wants to ensure that this is an elite of the professions and elected office, not an entrenched intergenerational oligarchy. The students should come to appreciate commerce because it offers "the best security against the influence of hereditary monopolies of land, and, therefore, the surest protection against aristocracy (Rush 1965b, p. 19)". Rush closes "Thoughts" by stressing the need for education in order to prevent "an aristocratic or democratic junto" from coming to dominate the state (Rush 1965b, p. 22). He assumes that the best way of preventing the emergence of a corrupt and lazy elite is by giving thought to how to develop a virtuous and competent one.

This logic of effectively securing social and political benefits predominated even more in Rush's proposals for higher education at the federal level. In a more detailed

¹⁴ Locke (1988), Section 26: "These words [of Genesis 1:28 do not] contain in them the least appearance of any thing, that can be wrested, to signifie God's giving to one Man Dominion over another, *Adam* over his Posterity".

¹⁵ Rush evokes Locke (1996) in more than his title; Locke's Section 168 also argues that Latin is of limited use for the education of a "man of business".

version of his proposal for a national university, Rush stressed that the “the youth of America will be employed in acquiring those branches of knowledge which increase the conveniences of life, lessen human misery, improve our country, promote population, exalt the human understanding, and establish domestic, social, and political happiness (Rush 1947, p. 105)”. The emphasis is squarely on applying knowledge to the practical problems facing the United States. This goal implies, as Rush sees it, that Hebrew, Greek, and Latin have no place in the curriculum and that theology has no central role. Despite the strict communal and religious inculcation of virtue he wanted at the state level, Rush’s federal university would be non-sectarian. On a practical level, this likely reflects Rush’s sense of urgency as a doctor amid the public health crises of the era. Philosophically, it reflects Locke’s influence.¹⁶

Rush’s proposal for the national university attracted widespread interest, although not universal approval. Though James Madison, supported by Charles Pickney and James Wilson, proposed at the Constitutional Convention that Congress be authorized to establish a non-sectarian university, the motion narrowly failed after George Mason objected that Congress already had this power by virtue of its jurisdiction over Washington, DC (Madison Friday 14 September 1787 in Convention 1911). As President, Washington became one of the idea’s strongest advocates.¹⁷ He assumed, like Rush, that the university would cater to those “disposed to run a political course”. Due to the centrifugal potential of sectional feeling and the waning influence of shared Revolutionary-War service for the elite of the previous generation, the country’s future leaders should befriend each other early in life, and “sentiments of more liberality in the general policy of the country would result from it (Washington 2008)”. When Madison brought the idea to a debate in Congress, it was voted down as too centralizing, too elitist, and too expensive.¹⁸ Jefferson also supported the idea during his presidency, proposing it to Congress in December 1806 as part of a package of other public works projects that he sought to authorize via a constitutional amendment. For the purposes of establishing a national university, Jefferson held to his strict constructionism (Castel 1964, pp. 289–91).¹⁹ The amendments went nowhere, but the scheme from the Washington Administration that was implemented was a military academy at West Point, NY. But, Jefferson revised Hamilton’s plan, emphasizing civil engineering at the expense of officer training. Characteristically, he objected to the formation of what Thomas and Lorraine Pangle describe as “an elite national corps,” the very thing that Rush’s university proposal would have created among civilians (Pangle and Pangle 1993, p. 153). George Thomas attributes the failure of the national university project not just to these Democratic-Republican concerns about centralized institutions but also to the fact the Federalists tended to be more invested in the success of private and state religious colleges (Thomas 2014, pp. 152–53). Jefferson, however, turned his attention to building a great, non-sectarian state university.

4. Jefferson’s Virginian Vision

Whereas Rush was often willing to admit that there was a serious tension between his desire to educate for excellent leadership and his republican commitments to the people’s rule, Jefferson tended to connect rule by the best with rule by the many in a way that anticipates the twentieth-century conception of meritocracy. His record as founding Rector of the University of Virginia reveals the many difficulties Jeffersonian educational philosophy encounters in being put into practice.²⁰ The Rockfish Gap Report, which Jefferson drafted for the University’s commissioners, sets forth the State of Virginia’s

¹⁶ Rush was prominent among those who fought the yellow fever outbreak of 1793 in Philadelphia (Fried 2018).

¹⁷ Washington called for a university in both his first and eighth annual addresses, and made a substantial personal bequest in his will for it (Castel 1964, pp. 283–88).

¹⁸ The debate is helpfully summarized in Castel (1964, pp. 286–87).

¹⁹ Castel notes that Jefferson did not have the same qualms about doubling the nation’s territory via the Louisiana Purchase. The authoritative study of Jefferson’s view of the presidency is Bailey (2008).

²⁰ For an overview of the history of Jefferson’s impact on the University, see Taylor (2019).

understanding of the elite-producing purpose of the University: “To form the statesmen, legislators & judges, on whom public prosperity, & individual happiness are so much to depend (Looney 2017, pp. 209–24)”. This implies inculcating the students with particular political and moral commitments, teaching them to be loyal to American state and federal institutions. The Report goes on to elaborate these loyalties in more detail; the University’s mission includes teaching “the principles & structure of government. . . and a sound spirit of legislation, which banishing all arbitrary & unnecessary restraint on individual action shall leave us free to do whatever does not violate the equal rights of another (Looney 2017, p. 212)”. This negative concept of liberty was not a truism in Jefferson’s day, and his vision of limited government was certainly opposed by the Federalists, but he mandates it be taught. Yet, Jefferson also wished to enshrine freedom of conscience and belief, and so in the religious sphere, he does not require students to profess any contested doctrines. Out of “conformity with the principles of our constitution” (alluding to the disputes over religious freedom in Virginia that had so exercised Jefferson, he excludes the teaching of divinity or theology from the University, assigning “the proofs of the being of a god, the creator, preserver, & supreme ruler of the universe, the author of all the relations of morality, & of the laws & obligations these infer” to “the Professor of Ethics (Looney 2017, pp. 217–18)”. A general, deistic view can be taught as beyond controversy on philosophical grounds.²¹

Given the bitter political divisions of the day, even over foundational American principles and constitutional interpretation, Jefferson did not leave it to the chair of “Government, Political economy, Law of Nature & Nations, History (being interwoven with Politics & Law” to set the reading list (Looney 2017, p. 195). Madison stressed the need to select, “an Able and Orthodox Professor,” as the first holder of the politics chair; this would be “the most effectual safeguard against *heretical* intrusions into the School of politics” (italics mine) (Madison 2010). In the very first week of classes in 1825, he, Madison, and the other members of the Board of Visitors addressed this question of what is to be taken as authoritative, pledging “to pay especial attention to the principles of government which shall be inculcated therein, which are “those on which the Constitution of this state, and of the US. were genuinely based, in the common opinion (Stagg 2010)”. To expound “the general principles of liberty,” they prescribed Locke, Sidney, the Declaration of Independence, the *Federalist Papers*, Washington’s Farewell Address, and the 1799 Virginia Resolutions on the Alien and Sedition Acts.²² Unlike Rush, Jefferson did not assume that students would arrive at university with a firm grounding in the principles of American republicanism from their previous schooling. He worked to ensure that his and Madison’s shared strict-constructionist and decentralizing perspective would be normative. He promoted the seventeenth-century English jurist Edward Coke as a legal authority against Blackstone, whom he saw as a dangerous, monarchical influence tending to seduce young lawyers into Federalism (Jefferson 2010b). For Jefferson and Madison, then, there is binding dogma in politics but not in theology.

A similar sweeping affirmation of individual freedom in principle but an authoritarian hierarchy in practice appears in Jefferson’s plan for student discipline. He sought to treat the students not as wards but as proto-citizens (in contrast to Rush, who saw the school as a natural extension of the parents’ authority).²³ Yet, Jefferson still deploys a certain paternal analogy in the Rockfish Gap Report, writing, “The affectionate deportment between father and son, offers in truth the best example for that of tutor and pupil” and that the University sought to “nourish” “the combined spirit of order & self-respect. . . so important to be woven into the American character (Looney 2017, p. 219)”. Jefferson sought to appeal not just to the affection of teachers but also to the praise of peers to motivate students to behave well without the fear of punishment. When disciplinary hearings were necessary, students were not to be compelled to give evidence on oath against one another (Stagg 2010). But,

²¹ For a study of the assumptions behind this classification, see Addis (2003, pp. 55–67).

²² For a more treatment of Madison’s thought on the relationship between collective self-government and personal education, see Sheehan (2009).

²³ On the tension between republican equality and hierarchy in the classroom, see Brann (1979).

just seven months into regular operations at the University, on 1 October 1825, a drunken riot culminating in an attack on a teacher compelled a change in approach. The entire student body was called before the Board of Visitors, which consisted not just of Jefferson and Madison but also of other Virginia dignitaries. Mute with disgust for their actions, Jefferson appealed to the boys' aristocratic sense of shame and deference to these revered elders. And he did not hesitate to coerce: furious with the leading troublemaker, his own great-nephew, he referred him to the civil authorities for criminal prosecution.²⁴ The faculty gained disciplinary authority from the incident. Jefferson wrote to his grand-daughter that instilling a degree of fear seemed to have had a salutary effect on the young men of the student body: "A perfect subordination has succeeded, entire respect toward the professors, and industry, order, and quiet the most exemplary has prevailed ever since (Jefferson 2010a)". Like many political thinkers in the Lockean lineage, Jefferson seems to have determined that a strong educational authority was necessary in order to raise free citizens capable of pursuing their own interests without infringing on those of others.²⁵ John Stuart Mill, for instance, saw the difficulty of attaining rational independence as a justification for imperial rule.²⁶

This appeal to coercive hierarchy comes from the same Jefferson who had many times insisted on the injustice and impossibility of coercing the mind.²⁷ In the "Bill for Establishing Religious Freedom," drafted in 1777, he argued that "the opinions and belief of men depend not on their own will, but follow involuntarily the evidence provided to their minds (Jefferson 1977a, p. 251)". Confronted with this apparent contradiction, Jean Yarbrough has concluded that Jefferson's prescriptivism in this case is simply incompatible with his commitment to the individual's pursuit of his own good (Yarbrough 1998). But, experience had revealed that Jefferson's epistemic argument, itself ultimately derived from Locke's *Essay Concerning Human Understanding*, had been too simplistic with regard to education.²⁸ There is not a simple dichotomy between beliefs arrived at by one's own reasoning and beliefs imposed from outside because teachers select the evidence that we see and point us towards what is worth examining; young people especially are easily misled or radicalized. But, Jefferson may have failed to reconsider his larger philosophy in light of the bitter experience of March 1825; in one of his last writings, the famous June 24, 1826 letter to Roger Weightman, intended as a public statement on his legacy, he proclaimed "the free right to the unbounded exercise of reason and freedom of opinion (Jefferson 1977c, p. 585)".²⁹

The political context of all of this is essential: Jefferson judged that the fragility of the young republic meant that the university could not yet be a site of pure contemplation.³⁰ He wanted the University to promote the talented from all classes of society in order to ensure a competent governing class whose membership would be regularly renewed by the influx of new talent (entailing the fall of some established elites) in order to ensure the rule of

²⁴ For a detailed account of the student riot in the context of antebellum UVA student life, see O'Shaughnessy (2021, pp. 211–37).

²⁵ Ruth Grant and Nathan Tarcov draw out this paradox in their "Introduction" to Locke (1996), pp. vii–xix. "Locke seems to acknowledge that liberal societies do require certain kinds of 'liberal' people (p. ix)".

²⁶ See Mill (1998), "Of the Government of Dependencies by a Free State," pp. 447–668. Mehta (1999) discusses Mill in the context of a constitutive tension in liberalism. Mehta concludes, "By making the expression of consent conditional on having reached a stage of historical maturation, liberal imperialism never sees, much less acknowledges, its own coercive efforts" (p. 111).

²⁷ On the coherence of Jefferson's overall philosophy, see Holowchak (2014).

²⁸ Muñoz (2022) makes this connection. Areshidze (2016, pp. 54–57) addresses the weaknesses of Locke's argument.

²⁹ On the revolutionary ambitions of Jefferson's educational philosophy, see Hellenbrand (1990).

³⁰ Jefferson "saw the university not as an end in itself but as a teaching institution designed to serve the country's needs (Pangle and Pangle 1993, p. 171)." For Pangle and Pangle, Jefferson realized "that an indiscriminating openness to the critics of liberal democracy could easily lead to a rejection of those very principles of natural rights that justify intellectual freedom in the first place (Pangle and Pangle 1993, p. 171)".

natural rather than artificial aristocrats.³¹ To this end, he wanted to prevent commerce from attracting all the highly trained graduates, preferring for them to go into public service.³² He, thus, misaligned incentives: “Jefferson gave insufficient thought to the problem of drawing good people into public service (Pangle and Pangle 1993, p. 172)”. Whereas Montesquieu had tried to reconcile self-interest with the common good by making the honor motive central to political life, Jefferson saw officials merely as servants of the people and viewed any aristocratic trappings in government with suspicion.³³ Given the vigorous free press and wide electorate that he had helped to put in place, government stood little chance of appearing decorous or gentlemanly. Yet, Jefferson perhaps lacked sufficient awareness of how aristocratic his own position was: as he enjoyed the contemporary and posthumous honor of being among the first rank of the founders of an entire republic, no mere politician of subsequent generations could compete with him. Throughout his educational work, Jefferson exhibited the paradox of being personally aristocratic and yet, in principle, radically democratic. This is also apparent in the subject matter of education. While Jefferson loved reading history and classics, he considered this a matter for private study and not one that required a formal curriculum. The emphasis is clearly on studying what can be applied and put to immediate practical use, not on classical pedagogy’s contemplation of the truth for its own sake. He himself treated historical study rather in the way that he early in his career prescribed it for Virginians at elementary level: as a matter for (mostly negative) object lessons about politics.³⁴ It would, therefore, be easy for subsequent generations to come to view classical references and rhetoric as an ornamental holdover of an aristocratic past, unworthy of a place in American republicanism.³⁵

5. Conclusions for Founding Civic Education Today

Today, great financial investment, talent, and intellectual energy have been committed to renew civic education in states across the country, including Arizona, Florida, Texas, Ohio, Tennessee, and North Carolina. This movement and its opponents would both benefit from studying the debates over higher education at the time of the Founding because these illuminate what today we are often unconscious of: the sub-constitutional or pre-constitutional assumed cultural prerequisites and practices that enable the American people to maintain self-government.³⁶ The examples of Jefferson and Rush also make clear that state authorities today have the authority and even the duty to prescribe civic and ethical content in public education. Both men sought to establish a model of higher education that would be at once thoroughly republican and highly elitist—the formation of a tiny few to lead the many. Both, amid their successes and failures at Virginia and Dickinson College, helped to create today’s highly influential system with its simultaneously hierarchical and

³¹ The *Notes on the States of Virginia* (Jefferson 1977b) argues that scholarships for the children of poor families will “avail the state of those talents which nature has sown as liberally among the poor as the rich, but which perish without use, if not sought for and cultivated”.

³² Here Jefferson achieved some success: “60% of UVA students between 1825–1875 became doctors, lawyers, or planters, but there were also “2 presidential cabinet members, sixty-two members and 2 Speakers of the U.S. House of Representatives, 348 representatives in state legislatures, 167 judges, 30 brigadier generals, 8 state attorneys general, and 5 secretaries of state (O’Shaughnessy 2021, pp. 230–31).” Jefferson’s vision certainly succeeded in that so relatively few of the students (3.8%) became clergy (O’Shaughnessy 2021, p. 230).

³³ On Montesquieu’s use of honor, see Spector (2009).

³⁴ *The Notes*, justifying prioritizing history over religious instruction for young children, argues, “History by apprising them of the past will enable them to judge of the future; it will avail them of the experience of other times and other nations; it will qualify them as judges of the actions and designs of men; it will enable them to know ambition under every disguise it may assume; and knowing it, to defeat its views (Jefferson 1977b, p. 198)”.

³⁵ “For all his love of classical learning, Jefferson in the end recommended it mainly as an ornament; he never made the case that there was anything compelling in Greek and Latin books that could not be gotten from another source. As a result, he damned the study of classics by faint praise (Pangle and Pangle 1993, p. 179)”.

³⁶ As Thomas says of the national university vision, “In their pursuit of knowledge, partly by way of civic dialogue, the figures [enrolled] would also provide ideas that would help shape the public beyond narrow visions of self-interest toward public enlightenment. The political world would take on collegiate ideals and traits (Thomas 2014, pp. 252–53)”.

egalitarian commitments: the great American universities all pride themselves on both their inclusivity and their selectivity. The national university project never came to fruition, but, together, the great state institutions like the University of Virginia and the leading private though federally supported institutions like the Ivy League institutions produce the nation's political, economic, cultural, and intellectual elite. Jefferson's view, in particular, was proclaimed by James Conant, the President of Harvard in the 1940s, as the justification for Harvard's role as an engine of social mobility at the very time when World War II and the Cold War were making Harvard intertwined with Federal policy (Conant 1940). Understandably, therefore, the public is concerned with what goes on at Harvard and seeks to hold these institutions accountable.

Rush provides better guidance on the university's responsibility for civic engagement today because he is conscious of the need to combine principles that are in mutual tension in a way that Jefferson is not. He is clear that the people must not rule themselves but only consent to the rule of competent representatives. These latter are to attain positions of high trust only after they have been subjected to a rigorous process of domestic and academic discipline to make them capable of wielding their authority well. Religion and patriotism are to make them intensely conscious of their duty to lead their fellow citizens, as well as reluctant to use high office for political gain. And the influence of commerce is deployed to prevent fortunes from solidifying across generations to yield an entrenched oligarchy. He, thus, seeks to incorporate elements of aristocracy into the American democratic republic, as well as elements of classical republicanism into his modern one. Rush, therefore, is the progenitor of the tradition in the philosophy of American higher education best represented by Alexis de Tocqueville: recognizing that the university exists in tension with the egalitarian and presentist tendencies of democratic life and embracing the tension as a fruitful one that can lead to a mixed regime in the soul (Foster 2022b).³⁷ Jefferson originates a different lineage, one best represented by John Dewey, which sees the university as the culmination or maximal realization of democratic life because of its open-ended inquiry and experimentation, refusing to take anything as given or authoritative (Foster 2022a). Dewey is more consistent than Jefferson, radicalizing his skepticism of authority into anti-foundationalism and experimentation, but both share an aversion to moral constraints on the student's development. The Rush–Tocqueville approach treats the student as needing authoritative discipline to learn the art of being free, whereas the Jefferson–Dewey one assumes the student's impulses to be well intentioned and to stand in need, primarily, of empowerment.

The two Founders' respective allusions to classical civic education make the contrast between the Rushian and Jeffersonian traditions particularly apparent. Whereas Rush begins the whole argument of the "Thoughts Upon the Mode of Education" with praise of the Spartans for securing "the early attachment of youth to the laws and constitution of their country," Jefferson mentions Sparta in the Rockfish Gap Report only by way of contrast (Rush 1965b, p. 9). UVA will not teach military exercises, even though they have some value; in fact, "these exercises with antient nations, constituted the principal part of the education of their youth (Looney 2017, p. 218)". Jefferson explains that whereas "their arms and mode of warfare rendered them severe in the extreme," "ours on the same correct principle, should be adapted to our arms & warfare," meaning that sports and military training should only be undertaken voluntarily, as part of the students' recreation (Looney 2017, p. 218). It would indeed be inappropriate to reduce America's public universities, at their best simultaneously sites of liberal learning, contemplation, and moral formation, to military academies. But, as those universities pursue renewed civic engagement today, they should consider Rush's move to draw on the classical ideal of instilling an attitude of serious, responsible, and even self-sacrificing service to the republic in its most talented young people. Contemporary equivalents of what Rush called for might include physical

³⁷ For more on Dewey's view of the relationship between educated experts and democratic creativity, see Levine (1969), Westbrook (1991), and Westhoff (1995).

education requirements, the practice of rhetoric including the memorization of the canon of great American speeches, and prioritizing knowledge of the classical languages in language requirements. The goal of both law and policy at public institutions should be forming civic leaders with a sense of responsibility to steward their constitutional and civilizational inheritance. Without a coherent vision, public and private universities may both default to endowing students with the complacency to believe themselves to be self-sufficient earners of their own position.

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