ABSTRACT

Title of Document: THE EDUCATIONAL IMAGINARY IN RADICAL RECONSTRUCTION: CONGRESSIONAL PUBLIC POLICY RHETORIC AND AMERICAN FEDERALISM, 1862-1872

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Facing the exigencies of Emancipation, a South in ruins, and ongoing violence, between 1862 and 1872 the United States Congress debated the role education would play in the postbellum polity. Positing schooling as a panacea for the nation's problems, a determiner of individual worth, and a way of ameliorating state and federal tensions, congressional leaders envisioned education as a way of reshaping American political life. In pursuit of this vision, many policymakers advocated national school agencies and assertive interventions into state educational systems. Interrogating the meaning of "education" for congressional leaders, this study examines the role of this ambiguous concept in negotiating the contradictions of federal and state identity, projecting visions of social change, evaluating civic preparedness, and enabling broader debates over the nation's future.

Examining legislative debates over the Reconstruction Acts, Freedmen's Bureau, Bureau of Education, and two bills for national education reform in the early 1870s, this project examines how disparate educational visions of Republicans and Democrats collided and mutated amid the vicissitudes of public policy argument. Engaging rhetorical concepts of temporality, disposition, and political judgment, it examines the

allure and limitations of education policy rhetoric, and how this rhetoric shifted amid the difficult process of coming to policy agreements in a tumultuous era.

In a broader historical sense, this project considers the role of Reconstruction Era congressional rhetoric in shaping the long-term development of contemporary Americans' "educational imaginary," the tacit, often unarticulated assumptions about schooling that inflect how contemporary Americans engage in political life, civic judgment, and social reform. Treating the analysis of public policy debate as a way to gain insights into transitions in American political life, the study considers how Reconstruction Era debate converged upon certain common agreements, and obfuscated significant fault lines, that persist in contemporary arguments.

THE EDUCATIONAL IMAGINARY IN RADICAL RECONSTRUCTION: CONGRESSIONAL PUBLIC POLICY RHETORIC AND AMERICAN FEDERALISM, 1862-1872

by

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For Stephanie

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PREFACE

AMERICA'S EDUCATIONAL IMAGINARY

Education is in itself, I admit, a trite theme, and in the abstract scarcely admissible of argument or illustration. Its advantages we know, we feel.

- Representative Oliver H. Dockery, March 30, 1870[1]

On February 12, 2011, over 20,000 active and former Corps Members with Teach For America descended on Washington, DC for the organization's 20th Anniversary Summit. Before the opening session began, with its headline speech by Secretary of Education Arne Duncan and a panel featuring controversial school reformer Michelle Rhee, a set of crisp graphics ran across one of the giant projector screens set up for attendees. Among the graphics was a screen of scrolling text that read, "Teach For Leadership. Teach For Possibility. Teach For Children. Teach For Transformation. Teach For Democracy. Teach For Progress." The text then faded to make way for the organization's logo: "Teach For America."[2] At the time, I was partway through my first year as a public school teacher near New Orleans, Louisiana, struggling (as most beginning teachers in America do) with the systemic, institutional, and historical problems that have made it so difficult for children to escape the economic fates of their parents. Feeling the weight of the world on my shoulders, I could not help but watch this scrolling text and wonder: Why is it that Americans can so comfortably, so optimistically, place virtually any positive-sounding word after "Teach For?" Americans expect their schools to teach for the economy, for national security, for unity, for diversity. The schools teach for morality, for lower teen pregnancy rates, for an end to drug abuse. They teach for obedience to future employers and for critical activism. They

teach for continuing the culture and for changing it, for integrating students and for sorting them out. For all the controversy and conflict over what the schools should be doing, I thought, few people seemed to disagree that they *could* do it.

In the contemporary United States, paeans for public education are commonplace. Positing schooling as the answer to pervasive racial inequality, Arne Duncan proclaimed that "education is the civil rights issue of our time."[3] Strumming viewers' heartstrings, *The West Wing's* ever-eloquent speechwriter Sam Seaborn inveighed, "Education is the silver bullet. Education is everything."[4] Responding to an essay contest sponsored by the Green Bay Packers, Wisconsin seventh grader Alyssa Levine wrote that, "even though school may not be the most fun place to be, it will help us shape the future for generations to come."[5] These sort of platitudes are nothing new. As educational historian Henry Perkinson observed, education acts as America's "imperfect panacea."[6] Though burdened with insufficient resources to accomplish unrealistic and often contradictory goals, schools nonetheless persist in the public's imagination as a potent way to alleviate an array of social problems.[7] Many historians have examined the American reliance on public schools as a "faith," a potent "idea," a set of deeply-held "beliefs," or even a "civil religion," and I agree with those characterizations.[8] But I also think that there is something deeper, and more fundamental, at work when Americans sing the praises of their public schools. Whether spoken by a politically-appointed bureaucrat delivering an uncontroversial applause line, or by a schoolchild begrudgingly accepting this not-fun institution's place in her life, educational platitudes have an enthymematic force and frequency. They rely on a whole set of assumptions about the school's capacity to shape

lives, about the commonality of experiences across disparate school districts, and about what it means for a person to be "educated."

Beyond a "faith" or even an "idea," I argue that education plays a crucial role in a whole set of tacit assumptions that implicate American politics and culture. Education has become part of what philosopher Charles Taylor calls America's "social imaginary," his term for "the kind of common understanding which enables us to carry out the collective practices which make up our social life."[9] Unlike a "social theory" articulated by political philosophers, a social imaginary is widely shared across a society, providing a "common understanding which makes possible common practices, and a widely shared sense of legitimacy."[10] More than just a set of taken-for-granted premises, a social imaginary provides a fluid sense of one's place within a historical and moral order, "a wider grasp of our whole predicament, how we stand to each other, how we got to where we are."[11] Studying a social imaginary means considering what Americans do or say without qualification, disagreement, or uncertainty, even (especially) when they argue. When I refer to an "educational imaginary" in this project, I am describing the tacit assumptions about education that undergird contemporary Americans' conceptions of socialization, civic participation, social mobility, and political reform. Here, I briefly sketch some significant elements of this educational imaginary. When Americans talk about education, what usually goes without saying, or sounds banal when said?

First, education provides an important way, and perhaps the most frequent way, by which Americans imagine their future both as individuals and as a collectivity. As Chief Justice Earl Warren argued in the unanimous *Brown v. Board of Education* decision, Americans accept the school's crucial role as a shaper of culture, citizenship,

and social mobility.[12] For the vast majority of people in the United States, the idea of the "American dream" cannot be disentangled from the schools.[13] Collectively, the schools provide a channel for both optimism and pessimism. The hopes of political change and anxieties about the next generation are embodied in the names of the nation's most recent major education bills, the No Child Left Behind Act of 2001 and the more positively-phrased Every Student Succeeds Act of 2015.[14] This important role for schools makes them function as battlefields for disputes and sites of dueling cultural visions. The schools provide a channel, if not the most important channel, for struggles over racial integration, free speech, identity, and morality.[15] And when the nation unites behind a common concern, such as poverty, national security, or economic competitiveness, school reform becomes a subject of sustained focus.[16]

Second, education offers a tacitly-understood vocabulary for reading one another's intellectual ability and fitness for civic participation. This happens, at times, in the subtlest ways. For example, when two people from St. Louis, Missouri (or anywhere, for that matter), meet each other, a first question they often ask is, "Where did you go to high school?" The question serves as a rapid gauge of stranger sociability, a way of immediately discerning the extent to which this unknown person's background, experiences, and beliefs match up to one's own.[17] This tendency to "mind read" based on others' education plays a substantial role in how Americans think about the other members of the political culture they inhabit. For example, after the emergence of Donald Trump as a frontrunner in the 2016 Republican Party primary, *New York Times* analysts identified the most common predictor of a county's support for Trump as the number of its residents who were "white, [with] no high school diploma."[18] Pundits latched onto this

statistical correlation as a hermeneutic to understand Trump's constituency, one remarking that "the ability to see through the sophisticated bullshit of confidence men is one benefit, among many, of a good education."[19] In a nation where civic worth depends on perceived work ethic, education serves a corollary function, providing the institutional means by which Americans demonstrate they possess the qualities of good earners.[20] The nation's obsessions with intelligence testing and academic credentialing both reflect and perpetuate this tendency.[21] There is a basic acceptance that "illiteracy" exists and that some people have more "education" than others, although there is also persistent anxiety about how those concepts should be measured.[22]

Third, the schools provide a common institutional framework familiar to Americans across disparate regions and backgrounds.[23] A high school student growing up in New Jersey can move to Nevada and maintain certain basic expectations about her new school district. The school day will be segmented into periods. The curriculum will be divided into subjects. There will be algebra. There will be gym. To be sure, I do not want to fully universalize all American student experiences—plenty of children are home schooled, and plenty more go to schools with experimental structures like Montessori Academies.[24] But even these Americans cannot wade too far into the broader culture without encountering the familiar elements of public schooling: arriving on the "first day," riding the yellow school bus, stopping at the locker between classes, sitting in rows of desks, attending prom. To the chagrin of school reformers in each generation, schools' actual curricula do not provide as many touchstones or points of "cultural literacy" as those in many other countries.[25] But even if Americans do not share a basic substratum of knowledge, the common experience of education dictates what people "ought" to know.

This assumption, in turn, plays a major role in structuring common sense. For instance, according to members of Congress, Americans (supposedly) "learn in school…"

- "how a bill becomes a law, and we know very well that one House passes a measure and the other House is to address it."[26]
- that "small donors and individuals…. were the cornerstone of our democracy."[27]
- that "[p]rotecting the minority and ensuring it is not overrun by a strong majority is central to the need for an independent judiciary."[28]
- "that discrimination based on race, creed or national origin has been barred by the Constitution since the end of the Civil War."[29]

My concern is not whether most Americans actually know, or even learn, these things. Rather, it is the tacit ways Americans invoke the concept of what they "learned in school" as a shorthand for what everyone is *supposed* to know. Even if the sense is not common, it can be cited as "common sense" because of the assumed shared experience of school.

These mundane features of America's modern social imaginary seem remarkable when contrasted with the relative fragmentation of education in the early-to-mid 19th century. Each state's early colonists arrived with different commitments to education. Some viewed illiteracy as an affront to God, while the leaders of others "thank[ed] God there [were] no free schools" to be found.[30] Subsequent regional development was haphazard at best. When leaders of many states tried to systematize schools at the state level, they encountered fierce resistance.[31] With the exception of the Northwest Ordinance of 1787, few federal policies gained traction at all.[32] By 1860, over 90 percent of white children in Maine attended school regularly. In Virginia, Kansas, and Georgia,

the number was just over 40 percent. For free black children, the numbers were dramatically more disparate.[33] To be sure, there were visionaries like Samuel Harrison Smith, Noah Webster, and Benjamin Rush who theorized education as a crucial method of preserving America's republican government.[34] There were reformers like Horace Mann and Henry Barnard who brought state-level structure to Massachusetts and Connecticut.[35] But their successes largely sharpened regional divides, adding to the list of ideological and sectional resentments that divided the young nation.[36] What I want to stress is not just the institutional difference in schools during this era, but the extent to which this fragmented educational situation produced a widely different experience of social life. Where schools even existed, they inculcated nowhere near the common experience, language, or set of background assumptions that contemporary Americans share.

When the nation split in a brutal Civil War, this lack of common educational experience became a potent explanation for why members of the Union and Confederacy took up arms. As one educational leader remarked in 1865, "the line of free schools marked the line of loyalty to the Government. We must push that line to the Gulf."[37] Postbellum leaders of the North began to endorse schools as a solution to disunion and sectionalism, and many other challenging problems besides. They began to tout the school as an intervention *into* the social imaginary, a way of fostering common assumptions and political practices that could unite a nation with a landscape soaked in blood. In this study, I treat this period as a major moment of transition between the disparate experiences of early 19th century schooling and the educational imaginary of today. Reconstruction provided a moment of complex debate over the nation's future, the

fates of former slaves, the formation of loyalty, the proper role of various layers of government, and the legal definitions of citizenship. Amid all of this contention, Congress dedicated sustained attention to educational legislation. The meaning of "education" was unclear, let alone how best to promote it. Nonetheless, a common agreement began to form among ideologically disparate leaders, a conviction that education had a major role to play in alleviating the problems of a nation just at war. Through the words of federal policymakers, this project provides an account of how the rhetoric of education mutated during a time of violence, radicalism, and reactionary resistance. The visions these leaders advocated and rebutted provide a revealing look at a nation in transition, helping explain why and how Americans arrived at the educational imaginary of today.

Notes: Preface

[1] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2320.

[2] "Opening Plenary Session." Presentation, Teach For America 20th Anniversary Summit, Walter E. Washington Convention Center, Washington, DC, February 12, 2011.

[3] Arne Duncan, "Statement by U.S. Secretary of Education Arne Duncan on the 50th Anniversary of the Civil Rights Act of 1964," *U.S. Department of Education,* July 2, 2014, http://www.ed.gov/news/press-releases/statement-us-secretary-education-arne-duncan-50th-anniversary-civil-rights-act-1964.

[4] *The West Wing,* "Six Meetings before Lunch," directed by Clark Johnson, written by Aaron Sorkin, NBC, April 5, 2000.

[5] Alyssa Levine, "Why Education is Important to Me," *Green Bay Packers-Badger Mutual Insurance Family of the Game Essay Contest*, September 9, 2012, http://nfl.packers.com/fan_zone/contests/badger_mutual_essay_contest/.

[6] Henry J. Perkinson, *The Imperfect Panacea: American Faith in Education,* 4th ed. (Boston, MA: McGraw-Hill, 1995).

[7] The tendency to embrace education as a primary means of correcting social problems is not wholly unique to the United States, especially as the models of American institutions spread abroad. As David F. Labaree compellingly argues, however, public education has proven to have a particularly pervasive appeal in the United States partially due to Americans' liberal-individualistic ideology, federalist system, and numerous other institutional and political factors. David F. Labaree, "The Winning Ways of a Losing Strategy: Educationalizing Social Problems in the United States," *Educational Theory* 58 (2008): 447-460. For a historical survey contrasting the formation of America's public

school system with that in France and the Netherlands, see Charles Leslie Glenn, Jr., *The Myth of the Common School* (Amherst: University of Massachusetts Press, 1988). For international perspective on the overreliance on schools to solve problems in other nations, see Marc Depaepe and Paul Smeyers, "Educationalization as an Ongoing Modernization Process," *Educational Theory* 58 (2008): 379-389.

[8] Richard Hofstadter, for example, writes of "our persistent, intense, and sometimes touching faith in the efficacy of popular education. Few observers, past or present, have doubted the pervasiveness or sincerity of this faith." Richard Hofstadter, *Anti-Intellectualism in American Life* (New York: Vintage Books, 1962), 299; Perkinson, *The Imperfect Panacea,* xii; Carl L. Bankston III and Stephen J. Caldas, *Public Education: America's Civil Religion; A Social History* (New York: Teachers College Press, 2009); Jennifer L. Hochschild and Nathan Scovronick, *The American Dream and The Public Schools* (New York: Oxford University Press, 2003); Thomas C. Hunt, *The Impossible Dream: Education and the Search for Panaceas* (New York: Peter Lang, 2002).

[9] Charles Taylor, *A Secular Age* (Cambridge, MA: Harvard University Press, 2007), 172; Charles Taylor, *Modern Social Imaginaries* (Durham, NC: Duke University Press, 2004), 24. Taylor's idea of a social imaginary builds upon Ludwig Wittgenstein's important observation that a tremendous amount of what structures people's social lives occupies an unquestioned "background," simply *there* but later made intelligible "like the axis around which a body rotates." Ludwig Wittgenstein, *On Certainty,* ed. G.E.M. Anscombe and G.H. von Wright, trans. Denis Paul and G.E.M. Anscombe (New York: Harper & Row, 1969), §151.

[10] Taylor, *A Secular Age,* 171-172.

[11] Taylor, *A Secular Age,* 172-173.

[12] *Brown v. Board of Education of Topeka* 347 U.S. 483, 492-493 (1954). On the central role of education in the case, see Risa L. Goluboff, *The Lost Promise of Civil Rights* (Cambridge, MA: Harvard University Press, 2007), 247-252.

[13] Hochschild and Scovronick, *The American Dream and the Public Schools,* 9-27; Robert D. Putnam, *Our Kids: The American Dream in Crisis* (New York: Simon and Schuster, 2015), 160-161; 189-190.

[14] *No Child Left Behind Act of 2001,* Pub. L. No. 107-110, 115 Stat. 1425 (2001); *Every Student Succeeds Act of 2015,* Pub. L. No. 114-95 (2015). Both are renewals of *Elementary and Secondary Education Act of 1965*, Pub. L. No. 89-10, 79 Stat. 27 (1965).

[15] See Jonathan Zimmerman, *Whose America? Culture Wars in the Public Schools* (Cambridge, MA: Harvard University Press, 2002); Natalia Mehlman Petrzela, *Classroom Wars: Language, Sex, and the Making of Modern Political Culture* (New York: Oxford University Press, 2015); Andrew Hartman, *A War for the Soul of America: A History of the Culture Wars* (Chicago: University of Chicago Press, 2015), 200-252.

[16] Hunt, *The Impossible Dream,* 115-126; Bankston and Caldas, *Public Education,* 131-165.

[17] As one columnist from the city notes, this functions as a shorthand for an array of other questions: "Are you Catholic? How rich is your family? What kind of person are you?" Lindsay Toler, "'Where'd You Go To High School?' Is Not Just a St. Louis Question," *Riverfront Times,* February 18, 2014, http://www.riverfronttimes.com /newsblog/2014/02/18/whered-you-go-to-high-school-is-not-just-a-st-louis-question. By

stranger sociability, I refer to Benedict Anderson's observation that a nation "is *imagined* because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion." Benedict Anderson, *Imagined Communities,* rev. ed. (1983; New York: Verso, 2006), 6.

[18] Neil Irwin and Josh Katz, "The Geography of Trumpism," *New York Times,* March 12, 2016, online at: http://www.nytimes.com/2016/03/13/upshot/the-geography-of-trumpism.html.

[19] David Masciotra, "Who Are These Idiot Donald Trump Supporters? Trump Loves the Poorly Educated—and They Love Him Right Back," *Salon,* March 20, 2016, http://www.salon.com/2016/03/20/who_are_these_idiot_donald_trump_supporters_trump_loves_the_poorly_educated_and_they_love_him_right_back/.

[20] Judith N. Shklar, *American Citizenship: The Quest for Inclusion* (Cambridge, MA: Harvard University Press, 1991), 75-77.

[21] On America's historical fascination with intelligence testing and measurement, see John Carson, *The Measure of Merit: Talents, Intelligence, and Inequality in the French and American Republics, 1750-1940* (Princeton, NJ: Princeton University Press, 2007).

[22] On Americans' fluctuating commitments to standards and modes of evaluation, see Kendall Phillips, *Testing Controversy: A Rhetoric of Educational Reform* (Cresskill, NJ: Hampton Press, 2004); Jal Mehta, *The Allure of Order: High Hopes, Dashed Expectations, and the Troubled Quest to Remake American Schooling* (New York: Oxford University Press, 2013).

[23] On the difficulty of adopting a detached perspective toward the common structures of American schools, see Kathleen Bennett deMarrais and Margaret D. LeCompte, *The Way Schools Work: A Sociological Analysis of Education*, 2nd ed. (White Plains, NY: Longman Publishers, 1995), 41-82.

[24] As Taylor notes, there will always been exceptions even to the most pervasive elements of a social imaginary. What denotes an exception, he says, "is that in espousing them seriously one goes against the grain of the modern identity in a fundamental way. One adopts beliefs which most people will castigate as weird." This is certainly the case for families who homeschool their children today, who encounter a litany of legal difficulties and widespread stereotypes of lacking "proper" socialization. Taylor, *A Secular Age,* 40; Samantha Lebeda, "Homeschooling: Depriving Children of Social Development?" *Journal of Contemporary Legal Issues* 16 (2005): 99-104; Richard G. Medlin, "Homeschooling and the Question of Socialization Revisited," *Peabody Journal of Education* 88 (2013): 284-297.

[25] See, for example, the arguments of E.D. Hirsch, Jr., *The Knowledge Deficit: Closing the Shocking Education Gap for American Children* (Boston: Houghton Mifflin, 2006).

[26] Remark of Representative David T. Dreier of California. 115. *Budget Control Act of 2011,* HR 2693, 112th Cong., 1st Sess., *Congressional Record* 157 (July 28, 2011): H 5678.

[27] Remarks of Representative Earl Blumenauer of Oregon. 31. 112th Cong., 2nd Sess., *Congressional Record* 158 (February 28, 2012): H 971.

[28] Remark of Senator Barbara Feinstein of California. 8. 109th Cong., 1st Sess., *Congressional Record* 151 (May 23, 2005): S 10806.

[29] Remark of Representative Sheila Jackson Lee of Texas. 18. "Celebrating Rosa Parks's 100th Birthday," 113th Cong., 1st Sess., *Congressional Record* 159 (February 6, 2013): E 111.

[30] The quotation comes from Virginia's Colonial Governor Sir William Berkeley, who Reconstruction Era Republicans frequently cited as evidence of the South's refusal to embrace public education. "'Enquiries to the Governor of Virginia.' Submitted by the Lords Commissioners of Foreign Plantations, with the Governor's Answers to Each Distinct Head," in *The Statutes at Large; Being a Collection of all the Laws of Virginia from the First Session of the Legislature, in the Year 1619, Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February One Thousand Eight Hundred and Eight*, vol. 2, edited by William Walter Hening (New York: R. & W. & G. Bartrow, 1823), 517. Conversely, on the educational commitments of early Massachusetts settlers, see James Axtell, *The School Upon a Hill: Education and Society in Colonial New England* (New York: W.W. Norton, 1974).

For discussions of disparate Northern, Southern, and Western commitments to public schooling, see Sun Go and Peter Lindert, "The Uneven Rise of American Public Schools to 1850," *The Journal of Economic History* 70 (2010): 1-26; Alexis de Tocqueville, *Democracy in America*, trans. Arthur Goldhammer (1835; New York: Library of America, 2004), 349; Carl F. Kaestle, *Pillars of the Republic: Common Schools and American Society, 1780-1860* (New York: Hill and Wang, 1983), 207;

Rogers Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History* (New Haven, CT: Yale University Press, 1997), 218.

[31] This was the case even in school-friendly Massachusetts, where Horace Mann's reform movement encountered contentious resistance from local schoolmasters, especially in Boston. In Virginia, Thomas Jefferson's call for interconnected, taxpayer-financed elementary schools and universities was thwarted through a confluence of suspicions among wealthy, religious, and localistic opponents. Further West, throughout the antebellum period states like Illinois and Pennsylvania often passed, repealed, and reinstated educational laws in a series of legislative controversies. Cameron Addis, *Jefferson's Vision for Education, 1760-1845* (New York: Peter Lang, 2003), 14-15; John Pulliam, "Changing Attitudes toward Free Public Schools in Illinois, 1825-1860," *History of Education Quarterly* 7 (1967): 191-208. On struggles in Massachusetts, see Chapter One; on struggles in Pennsylvania, see Chapter Three.

[32] For a thorough and concise account of national involvement in education policy up to 1860, see Donald R. Warren, *To Enforce Education: A History of the Founding Years of the United States Office of Education* (Detroit, MI: Wayne State University Press, 1974), 25-57. See also Lee W. Anderson, *Congress and the Classroom: From the Cold War to "No Child Left Behind"* (University Park: Penn State University Press, 2007), 29-38; David Tyack, Thomas James, and Aaron Benavot, *Law and the Shaping of Public Education, 1785-1954* (Madison: University of Wisconsin Press, 1987), 13-126.

[33] Bankston and Caldas, *Public Education,* 30; 36-37.

[34] Noah Webster, "On the Education of Youth in America," in *Essays on Education in the Early Republic,* ed. Frederick Rudolph (Cambridge, MA: Harvard

University Press, 1965), 41-78; Samuel Harrison Smith, "Remarks on Education: Illustrating the Close Connection Between Virtue and Wisdom. To Which is Annexed a System of Liberal Education. Which, Having Received a Premium Awarded by the American Philosophical Society, December 15th, 1797, Is Now Published by Their Order," in *Essays on Education in the Early Republic,* 167-224.

[35] Kaestle, *Pillars of the Republic,* 62-217.

[36] David M. Potter, *The Impending Crisis, 1848-1861* (New York: HarperCollins, 1976), 18-50; 220-221.

[37] James P. Wickersham, "Education as an Element in Reconstruction," Address Delivered August, 1865, in National Teachers' Association, *Proceedings and Lectures of the Fifth Annual Meeting Held at Harrisburg, on the 16th, 17th, 18th of August, 1865* (Hartford, CT: Office of the *American Journal of Education*, 1865), 296.

INTRODUCTION

"AN UTTER ABSENCE OF NATIONAL FEELING": CONGRESSIONAL EDUCATION POLICY DEBATE DURING RECONSTRUCTION

Upon the fate of the common schools hangs the fate of America.
- Representative George Frisbie Hoar, February 2, 1872[1]

A month after his first speech to the House of Representatives in 1871, Joseph H. Rainey of South Carolina received a letter penned in red ink with the threat, "prepare to meet your God."[2] One of the first two black Representatives elected to the United States Congress, Rainey was no stranger to the terror of the Ku Klux Klan. As a prominent Washington editorialist noticed, Rainey had "kind of an innocent habit of putting his hands in the place where a revolver or bowie knife is usually kept."[3] He was a target of violence and intimidation not just for his race, but for his biography. Born into slavery, his father saved enough money to free his family at an early age. During the 1860s, he fled the Confederate military, raised money as a barber in Bermuda, returned to help draft South Carolina's postbellum Constitution, and won a seat in Congress.[4] A former slave now represented a state that, only a decade before, started the war to uphold slavery. His mere presence awakened the viciousness of Southern reactionaries, a fact that was not lost on Rainey. His congressional speeches evinced a sobriety about the dangers freedpeople faced in the South, as he urgently called for their federal military protection.[5] "We all have to go armed in the South," he remarked, "ready at a moment's warning to sell our lives if it is necessary."[6] Clearly, Joseph H. Rainey was not naïve, and more than any other congressman he had reason to recognize the stakes of Reconstruction.

Given his realism about the status of the South, Rainey maintained a remarkable idealism about the possibilities of public education. On February 3, 1872, death threats be damned, he rose from his seat in the House to support a national fund for common schools. He spoke with awe about the possibilities afforded other former slaves in schools established by missionary associations after the war. "I have seen, much to my admiration, old gray-headed men, formerly slaves, learning the alphabet, and straining their blunted senses in quest of knowledge, and this, too, after the hard toils of the day."[7] Rainey's vision for education encompassed far more than the opportunities of freedpeople. He viewed public schooling as a solution to the problems of a nation that had, ten years before, fallen apart at the seams. Education could "impart a better understanding of our institutions, and thus cultivate a loyal disposition and lofty appreciation for them," he explained.[8] Establishing a citizenry committed "to harmony, concord, and perpetual peace," federal school funding would "materially assist and eventually succeed in obliterating sectional feeling and differences of opinion." "If this had been done years ago," he speculated, "there would have been a better understanding and more fraternal feeling between the North and the South, which would have annihilated that obstinate, hostile spirit which engendered the late 'unpleasantness.'"[9] Rainey was born into bondage, had no access to formal education, and represented a state where well under half the children attended schools.[10] His own learning had been constricted by meager funds and the limits of what he could teach himself in his state's oppressive caste system.[11] Now he addressed a federal legislature long resistant to involvement in education, positing public schools as a means to forge an unbreakable United States.

Rainey was not alone in embracing education as a way to transform American culture after the Civil War. Though American Founders and state-level reformers had long extolled the importance of education for the creation of national community, only in the 1860s did congressional policymakers concretely debate the federal government's involvement in education.[12] The departure of Southern delegations from Congress and the exertion of war powers created an unprecedented opportunity to stretch antebellum conceptions of federal authority.[13] As radical Republican leader Thaddeus Stevens candidly noted, the Union could finally get about the business of improving the country without the "arrogant, insolent dictation which we have cringed to for twenty years, forbidding the construction of any road that does not run along our southern border."[14]

Education policies thought unthinkable before secession became viable subjects of concrete policy debate during and after the war. Beginning with the passage of Justin Smith Morrill's bill for agricultural land grant colleges in 1862, a decade of increasingly assertive education bills were proposed. Members of Congress agitated to require public education in rewritten Southern state constitutions, to expand the educational work of the Freedmen's Bureau, to found the nation's first Department of Education, to distribute a national education fund, and even to create federally-administered school systems in states that failed to build their own. Overshadowed at the time and in history by dramatic battles over the 14th and 15th Amendments, the politics of impeachment, and the pervasive violence of the South, these proposals often went unnoticed by the newspapers and public. Few of them passed.[15] Nonetheless, I argue that Congress's advocacy represented a key moment in the development of American education policy rhetoric, a moment that enabled assertive expansions in education during the years that followed.[16]

As Rainey well knew, it was no small matter to declare that any area of public policy could solve the vast social problems before the nation. The South laid in ruins, the prospect of a coherent Union seemed distant, and the fate of four million freed slaves remained undecided. This project explores how, amid the drastic changes that made Rainey's position in Congress possible, federal policymakers like him cultivated a language of public education as a panacea for social ills, a determiner of individual worth, and a way of ameliorating state and federal tensions. I argue that Reconstruction Era reformers embraced educational rhetoric as a way to envision changes in the underlying background of American civic life, to alter the way Americans "'imagine' their social surroundings."[17] Education could, they argued, tinker with citizens' expectations, views of moral order, and modes of judgment, altering the shape of the next generation's social life. In short, they posited education as an intervention *into* the social imaginary, a way to "cultivate a loyal disposition," alleviate prejudice, and get beneath the conflicting civic assumptions that had just triggered a brutal war.

Through this analysis, I situate Reconstruction Era congressional debates as part of a pivotal moment in the development of America's "educational imaginary."[18] Building upon the ideas of Benedict Anderson and Charles Taylor, with this term I refer to the often unarticulated assumptions about schooling that inflect how Americans in the 20th and 21st centuries engage in political life, civic judgment, and social reform.[19] While many educational historians have noted the importance of Reconstruction in the development of America's unique educational "faith," few have stopped to dedicate sustained focus to this era and the educational debates of federal policymakers.[20] Drawing together often disparately-treated episodes of policymaking during this period,

this study emphasizes how the ambiguity of "education" itself provided members of Congress a compelling way to adapt to the changing pressures and idioms of American life. By turning to an early rhetorical moment when convictions about education had to be "perspicuously formulated" and defended, I aim to identify long-forgotten ideas and discursive fault lines that today implicate the background of American social life.[21]

Drawing from the conceptual tools of public address scholars, rhetorical critics, and intellectual historians, this project examines how policymakers like Rainey conferred rhetorical potential on schooling. Guiding this work is a series of questions designed to read the pulse of congressional education arguments during this decade of political conflict:

- What meanings, both implicit and explicit, did congressional leaders ascribe to "education" during the course of their policymaking?
- How did congressional leaders' views of "education" negotiate the constitutive contradictions of split sovereignty in the post-Civil War United States?
- How did congressional leaders envision the school's function as an institutional space for advancing or delaying long-term social change?
- How did congressional leaders' notions of "education" reframe or complement judgments of civic preparedness?
- In what ways did members of Congress converge and diverge in their argumentative premises regarding public education?

Through these questions, I investigate how Representatives and Senators constructed education as a way to confront the myriad challenges of Reconstruction—and what their moment meant in the development of America's educational imaginary.

Educational Ambiguity and the Rhetoric of Public Policy

In 1867, two highly-circulated images of schoolhouses evinced the ambiguous promise and concrete challenges of promoting education during Reconstruction. The first, part of a massive lithograph by John Lawrence Giles, captured education's place in the radical Republican vision of postbellum conciliation, unity, and interracial trust.

Figure 1. Detail of John Lawrence Giles, "Reconstruction" (New York: Horatio Bateman, 1867); from Library of Congress, Print and Photographs Online Catalog, lithograph, http://www.loc.gov/pictures/item/2004665356/.

Alongside vignettes of black and white citizens voting, former Union and Confederate leaders shaking hands, and pillars of slavery being replaced with those of republican institutions, there was a small schoolhouse with the phrase "Universal Education" written

above the door. Outside, black and white children rolled a wooden hoop, read together, and accompanied one another into a classroom. The school encapsulated the faith that education could eliminate prejudices at their root, foster the fellow-feeling of Northerners and Southerners, and prepare freedpeople for life after slavery.

The second image, published in the wake of the Memphis Massacre in May of 1867, captured how perilously distant Giles's lithograph was from reality. Amid three days of violence in which 46 freedpeople were murdered, rioting whites burned at least a dozen freedpeople's schools to the ground. In the image, a crowd of white men, arms in the air and guns on their shoulders, stood watching a blaze consume the schoolhouse of

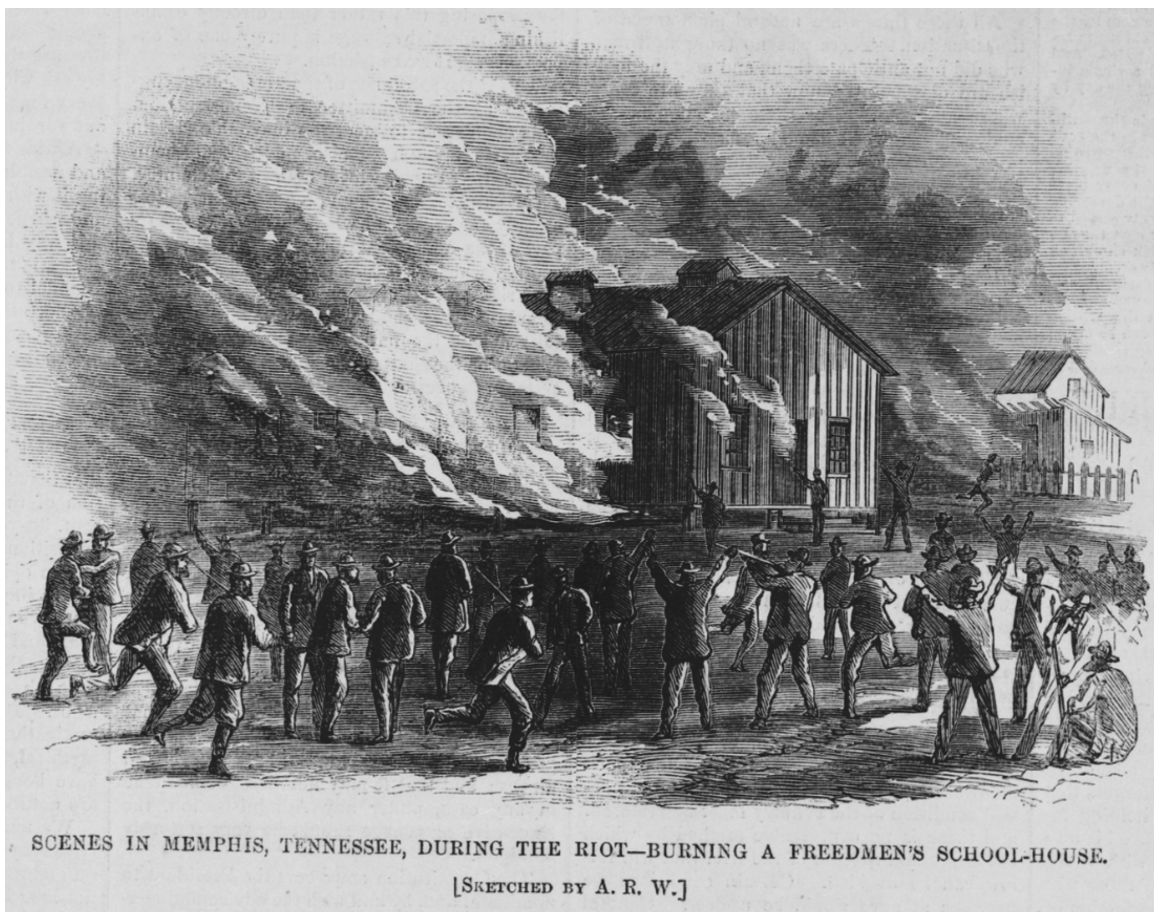

Figure 2. Detail of Alfred R. Waud, "Scenes in Memphis, Tennessee, During the Riot," Harper's Weekly, May 26, 1866, 321; from Library of Congress, Prints and Photographs Catalog, wood engraving, http://www.loc.gov/pictures/item/94507780/.

Methodist Preacher Horatio Rankin. Inside, the books, primers, and desks of former slaves were reduced to ashes and embers.[22] Radical members of Congress faced the challenge of reconciling the vision of Giles's lithograph with the reality of ongoing brutality, poverty, and white resistance in the South. They sought to translate an idealistic, far-reaching image into policies that could produce tangible results in an unstable region. It is this difficult negotiation that I interrogate with my question, *what meanings, both implicit and explicit, did congressional leaders ascribe to "education" during the course of their policymaking?*

In posing this question, I begin from the recognition that the allure of "education" as a wide-ranging solution depended on the indeterminacy of its meaning. According to policy scholar Deborah Stone, ambiguity plays a necessary role in policymaking debates, facilitating the formation of coalitions by allowing those with diverse goals to read many possibilities into the same proposal.[23] As the Giles lithograph illustrated, no realm of policy seemed to offer more far-reaching promise to Reconstruction reformers than public education. In the early 19th century United States, the language of "education" mediated the conflicting imperatives of democratic participation, republican virtue, meritocratic attainment, and the emerging market economy.[24] In part, this was possible because common school proponents refused to pin down any particular concept of education, preferring to conflate formal schooling with the process of socialization itself.[25] In this way, reformers like Horace Mann could posit the schools as the single institutional response to problems as diverse as partisanship, crime, intemperance, unchecked ambition, poverty, and class inequality.[26]

In execution, this broad conception of education imbued the institution with an array of contradictions that persist to the present. Invoked to prepare students for market and alleviate class resentments, to expand democracy and determine virtuous leaders, to train children to reason autonomously and to instill obedience, education meant many things to many people. In the Reconstruction Congress, this indeterminacy allowed Representatives like George Frisbie Hoar and William F. Prosser to tout education as the surest way to pursue all of the nation's most cherished ambitions. They demonstrated this claim by going point-by-point through the Preamble to the Constitution, explaining how education was necessary to each and every clause.[27] During a period when concepts like "free labor," "citizenship," "republicanism," and "federalism" were subject to renewed debate, the malleability of "education" provided a way to alter the terms of discussion. It played an ever-evolving role in reconfiguring what James Jasinski calls the "idioms of public life… and the specific concepts that organize, link, and separate these idioms."[28]

In a country with diverse, fragmented approaches to schooling, these wide appeals to "education" overlooked substantial differences in regional practice, strong traditions of democratic localism, and latent tensions over religion in schools.[29] In turn, congressional leaders encountered considerable disagreements when translating the abstract panacea of "education" into concrete policies. For example, the Senate voted to accept Charles Sumner's resolution that "public schools must be established for the equal good of all" in principle, but five days later rejected his concrete proposals for schooling in the South.[30] I argue that this tension between educational ambiguity and policy specificity stemmed from what Robert Asen calls the role of "public policy as a mediation of rhetorical and material forces."[31] Practically speaking, policymaking argument demands a movement

away from ambiguity, forcing policymakers with disparate visions to hammer out concrete future commitments.[32] Codified into law, policies "express a nation's values, principles and priorities, hopes and ideals, and beliefs about citizens' responsibilities and obligations to each other."[33] This does not entail that the meanings or material consequences of policies are fixed, immutable, or closed to further interpretation. But it does mean that the process of policymaking itself demands migration from dissensus and complexity toward some attempt "to constellate meaning," to lay down the law, decide upon language, and allocate resources in particular ways.[34] Consequently, congressional leaders' attempts to craft education policy threatened to undermine the ambiguous meaning of "education" that made it such a compelling answer to social problems in the first place.

Wider conflicts over the federal government's authority in the postbellum polity exacerbated the cross-pressures of educational policymaking. Some of the boldest radical Republicans recognized the Union victory as an opportunity to reshape the nation in a manner akin to centralized European countries. They particularly sought to emulate Prussia, which had long been admired by New England school reformers for its compulsory attendance laws and uniform pedagogy.[35] Yet long-standing commitments to divided sovereignty made it difficult for Congress to embrace anything resembling Prussia's system. As legal scholar Kurt T. Lash writes, the moderate Republicans in the first Reconstruction Congress "turned away every effort to erase or even significantly undermine the dualist conception of American government."[36] Even if there had been wide agreement on what national education reforms should look like, proponents would have still encountered Constitutional challenges. Confronted with the persistence of

federalism, the proponents of education policy got creative, crafting political workarounds that aimed to indirectly foster their particular conceptions of schooling. These workarounds included extra-governmental organizations, various forms of sponsorship, and combinations of incentives and disincentives. Following scholars of American political development like Gary Gerstle, Williamjames Hull Hoffer, and Brian Balogh, I consider how these legislators defined "education" while juggling the competing imperatives of federal control and local autonomy.[37] As Reconstruction wore on, interlocutors sought to maintain the ambiguity of "education" while offering visions that minimized federal involvement. They converged on "education's" vague importance in principle while deflecting federal responsibility to provide it.

Shifting idioms of public policy also aggravated the tensions of educational definition. Many historians have chronicled the emergence of a technocratic, rationalistic language of policymaking during the late 19th and early 20th centuries.[38] In education, this shift manifested as movements toward large urban school systems, an embrace of intelligence testing, and a privileging of administrative expertise. As David Tyack and others have argued, these technocratic innovations facilitated a largely uniform approach to education, a "one best system" that eschewed diversity, flexibility, and experimentation.[39] Like recent historical work by William J. Reese, I shift the timeline for these changes forward, examining the moments of contestation that preceded the rise of administrative Progressivism.[40] Before the war, and especially in the genteel school reform bastions of New England, education had been coupled with broad notions of "talent," being a frequent subject of oratorical praise as a crucial element of republican citizenship.[41] During Reconstruction, schooling still maintained this humanistic glow,

fitting neatly into sentimental encomia on the cultivation of virtue and character.[42] Such a language easily lent itself to talk of education as a panacea for postwar problems. At the same time, members of Congress were becoming increasingly enamored with a burgeoning "science of government," one dedicated to the technocratic ideals of what James C. Scott dubs "high modernism."[43] Whereas the former language expanded education's meaning, the latter narrowed it to emphasize what could be measured and "seen" by political experts.[44] These two idioms of policy produced a hybrid discourse of education reform. Many congressional speeches spoke in both languages, schizophrenically embodying the transition in public policy language. In one breath, congressmen praised education as the root of all social good; in the next, they read off a lengthy table of statistics about literacy rates.

Through the demands of policymaking, conflicts over federal authority, and the shifting idioms of policy argument, the meaning of "education" was subject to a set of conflicts that inflected Reconstruction Era policy debate. Throughout this project, I discuss this tension in terms of "centrifugal" and "centripetal" forces—the former a rhetorical pressure to apply education in more and more circumstances, the latter demanding narrower ways of discussing, measuring, and enacting school policy. Repeatedly, policymakers encountered some version of this tension. During the Freedmen's Bureau debate, policymakers strived to define education as a panacea for former slaves while minimizing the federal government's responsibility to promote it. In the Bureau of Education debate, Representative James A. Garfield's rhetoric was caught between a vast vision of education and a narrower language of statistical measurement. And throughout his advocacy for a national education fund, George Frisbie Hoar ducked

and dodged as opponents pressured him to assert his particular curricular views. He tried to get out of the conundrum by arguing "education" was so unruly that federal policy could never circumscribe its potential. "Under a system of universal education," he insisted, "all the powers and forces are centrifugal and not centripetal… [it] would remove forever and at once all possibility of the encroachments of the national government."[45] For Hoar's skeptical opponents, the best way to keep education ambiguous was to deny a federal role in promoting it at all. In efforts to envision education as an intervention into the social imaginary, this push and pull of definitional forces acted as a persistent stumbling block, thwarting efforts to carry reforms into the wooden walls of schoolhouses. In the 150 years since, as Americans have vacillated between framing education as a solution to social problems then struggling to implement standards or reforms, this definitional tension has persisted as a fault line in the nation's educational imaginary.[46]

Beneath Constitutive Contradictions

Though many Union leaders critiqued the South as a region mired in ignorance, it was false to claim that the region lacked any concern for advancing access to schools. Even as war raged in 1863, a first meeting of the Southern Educational Convention was held in Columbia, South Carolina. In a letter read at the convention, Professor Edward S. Joynes of William and Mary College pronounced the role education would play after a Confederate victory. In many ways, he sounded a lot like New England school reformers, stressing themes of unity, civility, and economic recovery. But there was one important distinction. He sought Confederate schooling on its own terms, perpetuating the hierarchies and predilections of the antebellum South. Privileging Southern ideals,

educators should "discard, at once and forever, as badges of a hated slavery, all *Northern text books* and *Northern teachers,* at whatever expense."[47] Eschewing the metaphorical slavery of Northern schoolbooks for actual flesh-and-blood slavery, Southerners cultivated a curriculum publishing industry that, though modest, shaped the region's classrooms well into Reconstruction.[48] When the war drew to a close, these educational discrepancies shocked Northern observers like Union General Carl Schurz. As a Prussian immigrant who admired his homeland's centralized school system, Schurz was taken aback by the pedagogy in New Orleans schools.[49] A school board installed by the Democratically-appointed Mayor Hugh Kennedy had students singing "rebel songs" and reading books where the letters "C.S." were superimposed over all instances of "U.S."[50] In a report to Congress on conditions in the region, Schurz lamented, "There is, as yet, among the southern people an *utter absence of national feeling.*"[51] Taking Schurz's anxieties as a point of departure, I pose the question: *How did congressional leaders' views of "education" negotiate the constitutive contradictions of split sovereignty in the post-Civil War United States?*

This question interrogates the role of education in negotiating political identities split between federal and state allegiances. Before the Founding, many Americans still shared the concerns of Thomas Hobbes, who critiqued divided sovereignty—*imperium in imperio,* "supreme power within supreme power"—as an unsustainable basis for government.[52] According to Alison LaCroix, the "federal idea" of America's Founders offered "a conception of political authority as capable of enduring division between levels of government based on subject matter."[53] In theory, if the states and federal government each handled their own discrete set of issues, with the occasional

adjudication of courts, significant conflicts could be easily settled or avoided.[54] In execution, of course, these strict lines of division quickly blurred. From the start, James Madison described the "task of marking the proper line of partition" as "arduous," complicated at every step by the ambiguities inherent to language.[55] Important, substantive disagreements were left unsettled as policymakers converted them into matters of Constitutional "procedure, propriety, and place."[56] Subsequent state/federal conflicts like *McCulloch v. Maryland* were adjudicated only through the assertion of the federal Supreme Court's end-of-the-line authority.[57] When the authority of the Court fell into question, bizarre tensions emerged between "the people" in one sense and "the people" in another.[58] These conflicts had the character of Daniel Webster's sarcastic 1830 summary of Southern claims to "nullify" federal laws: "We, who are your agents and servants for one purpose, will undertake to decide, that your other agents and servants, appointed by you for another purpose, have transcended the authority you gave them!"[59] As Webster predicted, the inevitable *telos* of these competing claims to authority was a "direct collision… between force and force"—a deliberative "knot" that could only be "cut with [a] sword."[60]

To examine the role of "education" in Reconstruction Era debates, I treat this collision of "the people" and "the people" as a constitutive contradiction. Many rhetorical scholars have studied the function of "constitutive rhetoric," which I define in a narrow sense here as the formation of narratives of national history and purpose that invite citizens into a coherent civic identity. Maurice Charland depicts the usage of constitutive rhetoric as a way of interpellating a "people" out of contradictory subject positions. By way of example, Charland explains that "French-Canadians in Quebec had to live the

contradiction of not being exclusively subjects of the state they collectively controlled." The creation of a narrative of "Québécois" identity "resolve[d] this contradiction at the discursive level."[61] The flip-side of "nationalism" on the constitutive coin, American federalism operated in the opposite way. It provided a single idea, a single narrative, which constituted citizens *into* a contradiction. It layered one Constitution on top of many others, without asserting either as clearly dominant. As the formal, governmental mechanisms for dealing with these contradictions collapsed, the dual state and federal identities of individual citizens became more pronounced and more conflicted. Ultimately, the disillusionment of these split identities contributed to a movement for secession and war. The war, in turn, weakened centralizers' faith in the capacity of government to produce civility or alleviate factionalism on its own. At the founding, James Jasinski observes, the Federalist proponents of strong, unified government defended the Constitution for its emphases on formal decision-making, clear lines of authority, checks and balances, and disinterested evaluations of statesmen.[62] After the Civil War, these notions of detached adjudication were mired in doubt. "I would not undervalue the strength of Congressional legislation, or the inestimable blessings of the fifteenth amendment," George Frisbie Hoar explained, "but I say all of these are a snare and a delusion unless they are followed by ample provision for the education of the people."[63]

Madison once decried efforts to provide "every citizen the same opinions, the same passions, and the same interests" as "impracticable."[64] By contrast, the radical proponents of centralized government during Reconstruction became intimately concerned with modifying "the people" themselves. To change "the people," many

Republicans concluded, they had to transform the schools that taught them, or build schools where none existed. Especially among New England's congressional cohorts, arguments for education took cues from common school reformers like Horace Mann, who had touted schooling as a vital corrective to the excesses of Jacksonian Democracy.[65] The argumentative claims once used to caution against illiterate mobs were now refashioned to stress the prevention of future sectional division. A typical example came from Representative Nathaniel P. Banks of Massachusetts, who argued that education would be necessary to "that amity and comity of feeling which must exist between the people of the different States and the General Government in order to promote that Union we all so much desire." Schooling, he continued, had the power to "reform political opinion, so far to change the basis of our political society, as to secure a perfect restoration of the principles of our Government."[66] Rather than stressing formal structures to alleviate the perils of faction, arguers like Banks depicted schools as a way to alter the substantive sources of political decision-making, cultivating a widened sense of national community and loyalty through education. With a shared substratum of beliefs, voters would more readily come to agreements aligned with a shared sense of the public good.

In defining the discrete knowledge and judgment of voters as a concern of the government, Republican congressional leaders triggered some of the first federal-level debates over the nuances of school curricular autonomy. Hailing mainly from New England, they were familiar with anomalously strong school systems.[67] But their vision of schooling as a shaper of sentiments ran coarsely against the grain of democratic localism that characterized most American school development. As Nancy Beadie writes,

the earliest schools emerged in the minute interactions of local associational life—for example, when community members organized as subscribers to finance and maintain a local school building.[68] With significant financial and symbolic stakes in their schools, communities were reticent to relinquish control to centralizing authorities at the state level. When Reconstruction reformers proclaimed to Congress their desire "to change the basis of our political society" through schools, then, they carried struggles over authority into the federal legislature. Especially as more Southerners and Democrats made their way back into congressional seats between 1868 and 1872, defenders of democratic localism cultivated staunch defenses of local autonomy. Stressing that the teacher "stands in the shoes of the parent," these congressmen crafted alternative visions of national education that omitted strong federal involvement.[69] Rather than merely tracing the ideas of common school reformers through like-minded congressmen, then, in this project I strive to understand how New Englanders' ideas were attacked and adapted in the struggle for the minds of the polity.

By analyzing these debates over political sentiments, this project discerns the ways congressional leaders reallocated many of the constitutive contradictions of life in a federal polity to the schools themselves. Ultimately backing away from assertive notions of controlling opinions, the proponents of federal school policy arrived at a conception of the school as an inculcator and arbiter of political judgment. Positing the schools as a site where future citizens could learn to make decisions among competing political loyalties, they privileged a notion of "informed citizenship" that would become a widespread civic ideal during the Progressive Era.[70] The social and moral dilemmas that antebellum Americans avoided would, they envisioned, be weighed and settled in the minds of well-

educated citizens. But in a culture reluctant to ascribe students and children themselves any agency as thinkers, struggles instead played out at an institutional level, with different levels of governance battling over what every child should "know."[71] Like the centrifugal and centripetal forces upon education's meaning, the collision of local and federal prerogatives persists as an underlying fault line in the educational imaginary. Schools represent a crucial site of local autonomy and democratic governance for millions of Americans, yet local school boards persistently collide with top-down imperatives.[72] As these tensions reemerge in each generation, they manifest in a set of recurring rhetorical appeals regarding time and disposition, appeals that played a key role in the educational debates of the 1860s and 1870s.

Projection, Deferral, and Dispositional Evaluation

Born to a black mother and white father in Charleston, South Carolina, Francis L. Cardozo grew up with opportunities unavailable to the vast majority of free blacks in the state. For most of the Civil War, he pursued religious education in Scotland and England, before settling briefly in Connecticut. In June of 1865, he returned home to Charleston with the American Missionary Association (AMA), hoping to spread the educational opportunities he cherished to recently-emancipated slaves. "There are so many of these boys and girls that are just at that age where their whole future may be determined," he professed.[73] As a principal of an AMA-supported common school, he believed he could determine that future. Garnering popularity in Charleston's black community, Cardozo was chosen as a delegate to the state's 1868 Constitutional Convention. Joining Joseph H. Rainey in a cohort of rising black political leaders, Cardozo debated the planks of a new state government, defending a provision for integrated public schools.[74] Having spent the

past two years monitoring classrooms, coaching teachers, and engaging pupils, Cardozo embraced the space of the classroom as a way to transform social relations over time.[75] Against those who claimed prejudices were too deeply rooted to cure, Cardozo argued "to allow children; when five or six years of age, to mingle in schools together, and associate generally." "Under such training," he continued, "prejudice must eventually die out; but if we postpone it until they become men and women, prejudice will be so established that no mortal can obliterate it."[76] He sounded a theme familiar in the Reconstruction Congress, one repeated with particular frequency by the New England school reformers. Their recurring appeal to the school as an intervention into future social relations prompts my question, *how did congressional leaders envision the school's function as an institutional space for advancing or delaying long-term social change?*

Whereas my first two research questions were concerned with education's meaning and purpose, this question interrogates *how* a rhetoric of schooling imagined an intervention in the social imaginary. More specifically, it calls attention to how the rhetorical force of education stemmed from its discursive reconfigurations of time and space.[77] As in Cardozo's appeal, shaping political sentiments meant getting to children *before* the assumptions of the antebellum South could take root in their minds. In this sense, calling for the building, reforming, or integrating of schools meant invoking *kairos*, the rhetorical term for the "opportune moment" or appropriate time for action. Since learning a culture could not happen overnight, calling for school reform also meant imagining a trajectory of acculturation, a *span of time* in which alternative social assumptions could be inculcated. Rhetorical depictions of the school, then, also relied on a construction of *chronos*, or long-term duration, that would span a child's entire

development.[78] Finally, school reform arguments imagined a *relational space* in which different behaviors could be practiced with others in isolation from the corrupting influences of the broader culture. By "relational space," I refer to how space emerges through what Doreen Massey calls "practices of relationality"—for instance, when Cardozo imagined teachers and pupils together, overcoming prejudice by learning in proximity to one another.[79] The walls of the classroom, and the federal troops deployed to guard them, were co-imbricated in this imagined relational space, there to preserve the purity of the children's interactions. Importantly, these concepts of *kairos, chronos,* and relational space were inseparable. By constructing space together, students and teachers could cultivate a new trajectory of social relations; that very possibility made educational intervention all the more urgent.[80]

The school acted as a temporal projector, casting a vision of the future citizenry beyond the intractable problems of the present, promising to alleviate prejudice, ignorance, immorality, and economic disadvantages. But in pulling together *kairos* and *chronos,* by rendering long-term development so urgent in the here-and-now, the rhetoric of education also introduced a logic of deferral into congressional debates. From the premise that education alone could cultivate proper political sentiments, it only took a subtle shift in reasoning to argue that anyone *without* education lacked the requisite knowledge for civic participation. For example, Representative William T. Clark of Texas said that schooling could be the "great leveler"—if only freedpeople "fit [themselves] for an intelligent participation in public affairs."[81] Implied was that the freedpeople were not *already* fit for civic participation, thus burdening them with an obligation to prove their worth through education. As Jacques Rancière has written of

similar educational discourses in France, the ideal of universal education carried with it "the instituted social fiction of inequality as lateness."[82] For all its noble egalitarianism, he elaborates, this rhetoric of education assumes a logic of "explication," placing a "distance between the taught material and the person being instructed."[83] In other words, to produce equality, Reconstruction's education reformers began from an assumption of inequality. As a result, those like Charles Sumner, who vigorously pursued both education and enfranchisement for freedpeople, found themselves caught in a contradiction. The more urgently they framed the need for freedpeople's political education, the more they undercut their arguments that freedpeople were prepared for political rights like voting.

As legislators asserted schooling as a prerequisite for civic participation, the ambiguity of "education" again became an important feature of argument. Depending on who one asked, "education" might have entailed good character, awareness of political issues, a strong work ethic, loyalty to the Union, entrepreneurial ingenuity, classical eloquence, literacy, numeracy, or other notions altogether. Much of congressional debate over proper citizenship, then, entailed a negotiation of what it meant to "know" if someone was educated. This prompts my next question: *How did congressional leaders' notions of "education" reframe or complement judgments of civic preparedness?* In asking this, I foreground the importance of dispositional evaluation during Congress's debates over education. When legislators focused on "education" as a determiner of civic worth, they contemplated what it meant for two different people to partake in an outwardly identical civic act like voting, but with differences in sentiment fostered by education. To borrow a phrase from Robert Asen, they shifted their emphasis "from *what*

constitutes citizenship to *how* citizenship proceeds… by placing 'manner' and 'deed' in relation to each other."[84] In line with Asen, I argue that these evaluations of education, of "how" citizens voted or deliberated, were "uncontrollable and unruly," difficult to codify in any particular way.[85] But whereas Asen argues that this uncontrollability acts as a bulwark against "a priori conceptual restrictions on citizenship that delimit its enactment," I argue that the very unruliness of an "educated" disposition made it a potent means of civic exclusion.[86] The interpretation of others' mental states converted the "unruly" meaning of education into an indefinite and constantly-shifting way to rationalize informal civic exclusions.[87]

In the mid-to-late 19th century, an array of interpretive practices were employed to read others' internal "character," then thought to be the primary product of education.[88] As James P. Salazar explains, these judgments were heavily infused with the moral, economic, and civic ideology of the era. Owing to "the reversibility of the relationship between the sign and referent of character," he explains, Americans frequently recognized the indices of "good" or "bad" character in those they already deemed to possess it.[89] By Reconstruction, the concept of character became more malleable, an "inherently 'plastic' substance that hardened by habit into its final shape."[90] With this shift arose a litany of interpretive possibilities. A person performing the same behavior could feasibly be read as exhibiting exemplary character, deceptively imitating the traits of good character, or striving through habit to develop a deficient character. Each of these interpretations could, in turn, be cited to make a judgment about that person, with potentially exclusionary consequences. As Kirt H. Wilson has demonstrated, the more political access Reconstruction Era blacks pursued, and the more they cultivated their

literacy and eloquence, the more whites impugned them as merely *imitating* white behavior rather than expressing original thinking.[91] In other words, as the *what* of citizenship became equalized in law, the arbiters of civic exclusion took refuge in the *how* of its enactment. Ultimately, many Reconstruction Era Republicans stopped touting suffrage as a "natural" right altogether. Instead, Daniel T. Rodgers argues, they justified suffrage for former slaves based on "their exemplary character, their industry, their readiness to advance themselves, and their loyalty"—the character traits molded by education.[92]

Amid deep uncertainty about what it meant for a person to be part of the polity, education provided a malleable set of criteria for civic readiness. Congressional Republicans were engaged in what Rogers Smith calls the process of "altering existing civic boundaries in ways that add or strengthen friends and expel or weaken foes."[93] In the process, they tied their party in discursive knots to justify various types of inclusion and exclusion. They extended voting rights to Southern blacks to build a new base of support, but dragged their feet in the North out of fear of backlash among white constituents.[94] They debated endlessly about the best ways to delimit the participation of former rebels and assess their loyalty.[95] They even stoked nativist sentiments against Chinese and Irish Catholic immigrants, especially as Northern support for freedpeople began to wane.[96] These different forms of exclusion, instances of what Smith calls "ascriptive Americanism," were often justified on wildly hypocritical grounds driven by the various anxieties and xenophobias of the Republican Party coalition.[97] The ambiguity of "education" did not eliminate these contradictions, but it could obfuscate them. Melding apprehensions about immigrants, freedpeople, and former rebels, James A.

Garfield insisted that “[w]e must make them intelligent, industrious, patriotic citizens or they will drag us and our children down to their level.”[98] He made this claim without clarifying which trait(s) needed to be learned by each group. Since “education” encompassed so many types of disposition, he could count on the audience to decide that for themselves. If someone viewed former slaves as loyal but illiterate, immigrants as industrious but uncultured, or former rebels as intelligent but unpatriotic, that person could still agree with Garfield: all three groups needed education.

The efficacy of these rhetorics of deferral and disposition ultimately relied on a general perception of educational availability. As rhetorical scholar Mark Hlavacik observes, in education policy, assertions of blame require concomitant assertions of agency.[99] While logics of racism persisted based on essentialist notions of black identity and intellectual capacity, former slaves could only reasonably be blamed for their *lack of education* if they were perceived as having access to it in the first place.[100] Especially early in Reconstruction, this became a refrain for Republicans attempting to garner support for the Freedmen’s Bureau and other aid efforts. When Kentucky’s Democratic Senator Garrett Davis lambasted Republicans for attempting to provide “for the support of lazy negroes all over the southern States,” Waitman T. Willey of West Virginia replied that this judgment could not fairly be rendered until basic opportunities had been provided.[101] “Give them hopes, give them a prospect of bettering their condition in the future… and that idleness, to some extent at least, will pass away.”[102] As members of Congress accepted the necessary connection between education and individualized blame, their arguments focused on whether responsibility to spread education fell upon the federal government or extra-governmental philanthropies. The 1867 creation of

George Peabody's Fund for Southern Education, viewed by some historians as "the first modern foundation," loomed large in these debates.[103] The Peabody Fund offered opponents to assertive Republican policies an example of how educational opportunities could theoretically reach all citizens without significant federal involvement. Since cultivating the *perception* of equal educational opportunity had more to do with establishing myths than actually expanding access to schools, these alternative visions gradually gained adherents in congressional debate.[104]

Twenty years before the Civil War, Alexis de Tocqueville observed that Americans "scarcely trouble themselves about what was but dream readily of what will be, in which respect their imagination knows no bounds."[105] In the language of the Reconstruction Congress, the school became the vessel through which this boundless imagination was exerted. Between the harsh realities in the South and the radical vision of a united, egalitarian postbellum polity, the school provided an imagined institutional space that made social change, even social equality, seem possible, palpable. But this temporal projection relied upon a logic of deferral, a logic that asserted present-tense inequalities to enable its long-term visions. Moreover, it demanded judgments of civic readiness that, predicated on the unruliness of an "educated" disposition, could justify a wide range of exclusions. Ironically, owing to these dynamics of educational argument, the longer Congress supported educational efforts for freedpeople, the more opponents invoked those efforts as a reason to cease assistance. On the day of the 15th Amendment's ratification, only five years after the end of Civil War, Illinois Representative Thompson McNeely already proclaimed that the Freedmen's Bureau's schools had done enough, that the nation's obligations to former slaves had come to an end. "You have been saying

to us, 'give the colored man a chance.' So say I. You have carried him long enough; now give him a chance."[106] In this study, I assess how these recurring elements of educational argument were complicit in broader discourses that, according to Saidiya V. Hartman, "served to displace the nation's responsibility for providing and ensuring the rights and privileges conferred by the Reconstruction Amendments and shifted the burden of duty onto the freed."[107]

Public Policy Debate and the "Long March" Toward a Social Imaginary

In a photograph taken during his time in the Union cavalry, Illinois Representative John F. Farnsworth appeared as the very embodiment of skepticism, with an imposing posture, arms tightly crossed, eyes narrowed disdainfully, and a seemingly permanent frown concealed by an intimidating beard.[108] As a congressman, he argued the way he looked. Scoffing at Ohioan James A. Garfield's support for a national Bureau of Education, Farnsworth lobbed sarcasm at his colleague at every opportunity. How, he asked, did this Bureau teach "the poor children in the district of the gentleman from Ohio how to read their Bibles?"[109] The "absurd" efforts of the Bureau were a waste of government funds, "nothing but a humbug" pitched by a congressman "gone mad on the subject of statistics."[110] After the Bureau was founded in 1867, Farnsworth argued annually to defund the agency and reallocate the funds to more practical school efforts. Finally, in 1871, he gave up in exasperation. "I abandon in despair the effort to abolish this department… it is impossible to get rid of, however useless it may be."[111] Farnsworth's grudging acquiescence is, I argue, what social change usually looked like during the rough-and-tumble of public policy debate. Unexciting next to the battles and conflicts of the war years, the evolving opinions of the Reconstruction Congress had less

to do with climactic struggles and much more to do with the gradual, arduous piecing together of agreeable terms. In tracing congressional debate between the Morrill Act of 1862 and Legrand Perce's bill for an educational fund in 1872, I am looking for the appeals, exigencies, and disagreements that shaped the development of arguments over ten years. To this end, I ask a question exploring the broader development of an educational imaginary: *In what ways did members of Congress converge and diverge in their argumentative premises regarding public education?*

In asking this question, I emphasize the utility of analyzing public policy debates as a way of reading into the broader development of a "social imaginary." As Taylor writes, the development of social imaginaries involves a "long march," a coalescence of countless theoretical assertions, argumentative clashes, and quotidian practices that play out over decades, even centuries.[112] The watchword for anyone examining the emergence of a social imaginary must be humility, especially regarding the agency of particular agents or instances of rhetoric. Dilip Parameshwar Gaonkar elaborates that a social imaginary cannot be traced "in the manner of a history of an idea because it is at once a march and a mutation of an image into a fertile cluster of cultural forms, symbolic expressions, and institutional practices."[113] Tracing the formation of a social imaginary, as Taylor does in his massive work *A Secular Age,* thus involves looking at moments of transition where terms eventually taken for granted were subject to earlier moments of controversy.[114] Between two historical moments in which people had wildly different ways of imagining their social life, shifts in rhetorical forms—"speech, writing, images, [and] performance"—offer particular insights into what animated debate during one of the countless interactions that brought about a shift.[115] I suggest that analyzing the

rhetoric of public policy, in particular, offers a fruitful way of reading into such moments. According to Asen, public policy debate has a processual character, extending over many decades with arguments "composed by hundreds, if not thousands, of authors."[116] Studying the rhetoric of public policy downplays "the participation and significance of any single advocate," instead contemplating how "trajectories emerge as collective achievements."[117] Building upon Asen's perspective, I contend that the course of congressional public policy trajectories during Reconstruction, contested and amorphous as they may have been, can reveal trends in the emergence of a social imaginary.

In identifying the formation of educational trajectories during congressional debate, I focus particularly on instances where topics of contestation became points of quiescence, tacit acceptance, or even outright agreement. When Farnsworth backed down from debating the Bureau of Education, he might have legitimately lost hope, or decided to focus on other fights, or made a calculated political choice. Whatever his reasons may have been, he bowed out, and in a subtle way that shaped the direction of debate. Over the course of the decade I examine, hundreds of congressional leaders joined and departed from the Capitol, carrying with them the anxieties of constituents, the coalitional tensions of their parties, and the idioms of their regional cultures. Some, like Representatives Mark H. Dunnell of Minnesota and John B. Storm of Pennsylvania, arrived with divergent experiences in educational administration that inflected their views of federal authority and curriculum. When reading these politicians' arguments, it matters, as Asen says, that "most, if not all, of the multiple authors of policy texts hope to persuade their coauthors to accept their positions."[118] The trajectory of public policy debate depends on the coalescence of their common decisions on policies, even when

they might have understood those policies very differently. Dunnell and Storm had wildly disparate visions of the nation's educational future, yet after days of contentious deliberations, they both cast a "yea" vote favoring an amended version of an educational aid bill in 1872.[119] Whether these points of convergence settled debates, obfuscated differences, or provided the foundation of a whole new set of disagreements, they mattered. They reveal a gradual movement that formed a part of wider historical trends too complex to ever trace.

The inability to capture the entire scope of historical transition, however, does not absolve me from acknowledging the limitations of focusing on the particular set of actors in Congress. There are many benefits to focusing on congressional deliberations, including the complexity of their debates, the preservation of their arguments, the regional diversity they represented, and the indelible role they played in reshaping laws and institutions that persist to the present. But these were men—mostly white, bearded, stern-looking ones—whose concerns and perspectives too often excluded the voices of women, freedpeople, immigrants, and Catholics, even as they maligned these groups as uneducated. Though there were exceptions, members of Congress almost universally used masculine pronouns to describe teachers, even as the vast majority of teachers, North and South, were women.[120] Though black voices could be heard in the 39th through 42nd Congresses, their exertions were generally limited to testimony in hearings. Too few black men had Rainey's political platform, and those who did held power for too short a time. For the majority of moderate members of Congress, historian Mark Wahlgren Summers says, their argumentation suggested a paramount concern for an expeditious resumption of business-as-usual with the South, rather than a protracted struggle to

secure civil rights.[121] In part, I attend to the limitations of these perspectives by discerning how racist, gendered, and nativist logics infused congressional discourse. I examine how the broader contexts of education, violence, and civil rights circulated into languages of policy discourse. And finally, I maintain a reflexivity about how small a slice of American life congressional debate could actually capture. I do not assert their words as wholly representative, but rather as a well-documented discourse interwoven into a broad web of social practices.

Examining this moment in the cultivation of a "social imaginary" also means grappling with the limitations of archival representation.[122] As members of Congress cajoled, critiqued, and questioned each other, transcriptionists in the galleries captured their words in the *Congressional Globe.* Published from 1833 to 1873, the *Globe* was, as Elizabeth Gregory McPherson writes, "the first publication of its kind to attempt to give each step in every measure coming before both Houses."[123] Though transcription techniques had improved by the onset of the Civil War, these archived materials still raise questions of authenticity, of what was actually said. The conditions for those recording the debates were grueling. In the gas-lit chambers of the House and Senate, members frequently debated their contentious policies well past midnight, often placing a burden on the clerks taking notes. During one particularly late session of debate on the First Reconstruction Act, Senator Charles R. Buckalew of Pennsylvania asked Congress to pass a resolution ending transcriptions for the evening, observing that "the greatest hardship of this session is upon the reporters."[124] The heat of the day posed a more severe hardship than the fatigue of the evening; as James A. Garfield complained to his wife Lucretia, "A thousand fans are busy in the gallery and on the floor, and I have used one a

dozen times since I began this letter."[125] Beyond the harsh conditions for those taking notes, members of Congress frequently politicized the *Globe's* statements, issuing complaints about omitted material or misrepresented statements.[126] Moreover, since copies of the *Globe* circulated throughout the country and were cited by newspapers, the mediation of congressional debates had a significant influence on *how* Congress argued. Charles Sumner, for one, embraced the written record, regularly citing directly from previous speeches and chastising his opponents for failing to precisely quote his past arguments.[127] Conversely, Garfield resented the *Globe* for lessening direct, in-the-moment refutation; it had "reduced congressional debating to essay writing and essay reading."[128] Members of Congress waited to read the *Globe* and carefully rebut their opponents the next day, rather than risk a misstatement.[129]

Remarking on the expanding length of each volume of the *Globe* during Reconstruction, Garfield doubted the documented debates of Congress would have any historical legacy. "[I]f any man shall hereafter have the curiousity and patience to wade through the vast masses of these printed volumes and find here and there scattered valuable thoughts; it will only be as the geologist finds coprolites [fossilized feces] embedded in the strata of the earth."[130] Fortunately for this project, the *Globe,* for all its flaws, has proven more valuable than Garfield imagined. As W.E.B. DuBois recalled, the surest way to "possibly have any idea of what the problems of Reconstruction facing the United States were in 1865-1866" is to "read page by page the *Congressional Globe,* especially the sessions of the 39th Congress."[131] The transcripts of Reconstruction Era congressional debate have provided a fertile ground for scholarship in American state-building and racial integration.[132] The debates I examine here also played a significant

role in shaping oral arguments in *Brown v. Board of Education* and other Supreme Court decisions regarding the 14th Amendment.[133] More importantly, for my project, my argument has less to do with the historical accuracy of any particular statement in the *Globe* than with the sweep of rhetorical change it captures over a decade. As a survey of voices coming to terms with the meaning of a brutal war, a tenuous peace, and a moment of tremendous change, this record reveals many of the forces that shaped a nation's gradual turn toward education as a solution to social problems. Before the formation of an "educational imaginary," before the clashes over education during Reconstruction became sedimented beneath 150 years of tacit understandings and new debates, members of Congress put their beliefs and their skepticism about education into words.[134] It is to those words that I turn, digging for the "coprolites" of congressional discourse that still lie beneath our feet.

Historical Overview and Précis of Chapters

In 1858, Representative Justin Smith Morrill proposed a bill for federal land grants dedicated to agricultural colleges. Used to the wrangling over the Constitution so prevalent on the cusp of the Civil War, he started his speech on the defensive. "When there is a lack of arguments to be brought against the merits of a measure," he complained, "the Constitution is fled to as an inexhaustible arsenal of supply."[135] In hopes of winning over agricultural regions in the West and South, Morrill framed his bill as more about farming than education, more about ending a crisis of soil erosion than involving the federal government in the affairs of colleges.[136] Even with these overtures, the bill barely passed over Southern opposition, only to die by the veto pen of President James Buchanan, who called the bill an effort to "break down the barriers which have

been so carefully constructed in the Constitution to separate Federal from State authority."[137] Four years made all the difference for Morrill. In 1862, with the seats of recalcitrant Southerners now empty, he made his pitch for agricultural college grants again to a Congress far more supportive of federal expansion.[138] While he still addressed states' rights, he jettisoned the lengthy, defensive discussions of constitutionality that characterized his earlier speech. Freed from framing everything in terms of the nation's founding document, Morrill instead galvanized support from New Englanders by appealing to civic education. More than merely stopping soil erosion, these schools could "elevate the character of farmers and mechanics," improving the "inclination to rise" among members of society too often on "the lowest round of the ladder."[139] Traveling ever westward, those educated in these agricultural colleges would "prove the priceless value to our common country wherever ultimately located—proudly and forever wearing the name of an American citizen."[140] Instead of a speech about the constitutionality of *agricultural* colleges, Morrill courted fellow New Englanders with a speech about the broad civic and economic benefits of agricultural *colleges.*

Ushered through both congressional chambers with large majorities and eagerly signed by Abraham Lincoln, the Morrill Act demonstrated the viability of the common school movement's ambiguous appeals to "education" in the post-secession Congress. Rather than developing in the linguistic vacuums of founding elites' written tracts or in the isolated policy silos of Massachusetts and Connecticut, education emerged as a discourse of federal policymaking.[141] This project examines what happened in the decade that followed, with each chapter tracing the evolution of four policy debates across time. Because many of the events in each chapter were happening concurrently, it is helpful

here to begin with a brief chronological overview. I divide the period into three phases, each roughly demarcated by shifting educational concerns in one or both of the major political parties. Overall, this era represented a gradual transition from the recalcitrance Morrill experienced in 1858 to a tacit embrace, even by Southern Democrats, of education as an element of national unity and individual duty, albeit not a federal responsibility.

During the first period, radical Republicans introduced assertive education policies as part of their broader program of Reconstruction. Running from the start of the 39th Congress in December of 1865 to local elections in the fall of 1867, this period encompassed the power struggle between the Republican-dominated Congress and Andrew Johnson. Balking at the president's policies aiming to bring a rapid "restoration" to Southern states, Congress overrode Johnson's vetoes of key legislation and strove to inaugurate a more thorough policy of Reconstruction in the South.[142] In early 1866, Representative Thomas D. Eliot and Senator Lyman Trumbull argued to renew and expand the Freedmen's Bureau, stressing it as a necessary way to educate former slaves into contract labor, political participation, and an understanding of their rights. By that July, shortly after Congress sent the 14th Amendment to the states for ratification, James A. Garfield proposed a Bureau of Education, stressing "that there never has been a time in the history of our country when all the educational forces ought to be in such perfect activity as at the present day."[143] Widespread racial violence, particularly in Memphis and New Orleans, drove a Northern backlash to Johnson's policies that summer, generating support for congressional Reconstruction.[144] Elected with massive Republican majorities in fall of 1866, the 40th Congress pursued an even more robust policy toward

the South. Sumner, a staunch common school advocate, insisted on "[e]ducation… as a corner-stone of Reconstruction."[145] In debates over the Reconstruction Acts of 1867, he fought vigorously to require strong educational provisions in rewritten Southern state constitutions.

The second period, from the start of the second session of the 40th Congress in December 1867 to the ratification of the 15th Amendment in March of 1870, was characterized by vacillating educational priorities among members of the Republican Party. As historian Michael les Benedict has argued, the elections of fall 1867 indicated waning support for radicalism, with efforts to enfranchise blacks rejected in major swing states and the election of state legislatures threatening to oust key radical Senators like Benjamin Wade of Ohio.[146] As impeachment hearings and a Senate trial proceeded against Andrew Johnson, the Republican coalition became strained by competing moderate and radical visions. Each year during this period, Republicans with opposing theories of educational aid argued in favor of dismantling the Bureau of Education. When the Freedmen's Bureau approached another expiration date in 1868, members of the party agreed to continue only its educational activities, rather than its work in providing food, clothing, or medicine.[147] By 1870, amid racial violence and Southern refusals to develop strong education systems, Sumner and others argued for more stringent educational requirements in Virginia and remaining unadmitted states. Though these new requirements passed, the debate showcased growing fissures among the Republicans.[148] Above all, the party split over the question of black voting rights, a question that could not be easily disentangled from rhetorics of education. When debating the language of the 15th Amendment in 1869, many Senators foresaw the prospect of literacy tests being

employed to impose *de facto* disenfranchisement on black voters.[149] Efforts to revise the amendment to address these concerns failed, with many moderate Republicans stressing education as an important prerequisite for casting a ballot.[150]

With the ratification of the 15th Amendment on March 30, 1870, radicals redoubled their educational efforts, frequently citing the necessity to prepare freedpeople to exercise their rights intelligently. Contra their efforts, Democrats began to retool their educational arguments in line with a wider "New Departure," accepting the basic premise of education's national import while offering visions to promote it without federal centralization. Debates during this period emerged from the Committee on Education and Labor, created during Reconstruction to handle an influx of petitions for educational legislation.[151] The members first clashed on the day black voting rights became enshrined in the Constitution, as committee member Samuel Arnell called to salvage the Freedmen's Bureau's educational efforts under the aegis of the Bureau of Education. In early 1870, Committee Chairman George Frisbie Hoar began calling for federal intervention into states without effective school systems, prompting a discussion on the House floor in early 1871. Meanwhile in the Senate, Sumner began pursuing integrated schools as part of a broader Civil Rights Act, bringing struggles over race to the forefront of school debates in both chambers.[152] Throughout these arguments, Democrats like Thompson McNeely and John B. Storm advanced a direct antithesis to the New England common school model of centralization and curriculum, offering a vision of national education promoted through associations and local autonomy. The two sides collided in debates over a bill for a national education fund in 1872, in which heated exchanges

revealed a range of tacit assumptions about schooling that even many Southern Democrats had come to take for granted.

Moving through this history, each of the four chapters that follows concentrates on a particular policy debate that unfolded across the decade. Chapter One, "'Character Is Not Changed in a Day': Projection and Deferral in Charles Sumner's Vision of a Reconstructed South," examines how the influential language of the New England common school movement shaped the argumentation of the Massachusetts Senator, one of the most important voices in the Reconstruction Congress. The chapter begins in the 1840s, when Horace Mann enlisted Sumner as a candidate for the Boston School Committee. Immersed in efforts to systematize schools and reform curriculum, Sumner cultivated a language of public education that envisioned the school as a way to get children "up to speed" with his vision of social progress. Later that decade, Sumner delivered prescient arguments on behalf of school integration during the 1849 case *Roberts v. Boston*, contending that the presumed equality of students in the classroom was inseparable from their potential for intellectual progress. I argue that these common school rhetorics imbued Sumner's discourse with a tension between urgency and deferral that, twenty years later, he and other radical Republicans would struggle to reconcile. The core of the chapter centers on Sumner's attempts, particularly during debates over the Reconstruction Acts of 1867, to impose a New England vision of common schooling in the South as a way to cultivate loyalty and eliminate prejudice among former rebels. Calling, at the same time, to enfranchise former slaves, Sumner's educational arguments were conflicted between advocating education as a prerequisite for civic participation and critiquing education as an insidious way to rationalize deferred justice for freedpeople.

Vacillating between a logic that eschewed and another that embraced a hierarchy of knowledge, Sumner's argumentation revealed a fault line at the heart of the common school vision. In the process, the chapter demonstrates how New England ideals mutated amid the pressures of Reconstruction Era debate.

In Chapter Two, "'So Soon As They Are Worthy': Evaluating Disposition and Assigning Responsibility in the Freedmen's Bureau Debate," I address how Congress negotiated the responsibilities of freedpeople and the federal government through the ambiguities of "educated" disposition. Launched in 1865 to address the immediate material needs of former slaves, the Bureau of Refugees, Freedmen, and Abandoned Lands—colloquially known as the Freedmen's Bureau—highlighted the complex role of education in an array of discourses following Emancipation. Administering its own system of courts, providing military protection, regulating contracts between freedpeople and their former masters, providing material aid like food and clothing, and collaborating with missionary associations in education, the Bureau addressed a wide range of exigencies facing former slaves. As Congress debated the institution's future in 1866 and 1868, however, education quickly emerged as the legislature's chief priority. To understand why, this chapter examines how the discourse of "education" emerged as a malleable dispositional adjunct to other forms of citizenship. I analyze the ways in which education became the mental "how" to various "whats" of citizenship. Through the arguments of Ignatius Donnelly of Minnesota, Thomas Dawes Eliot of Massachusetts, Lyman Trumbull of Illinois, and others, I assess how education came to be seen as a prerequisite for voting, a corollary of meaningful labor, and a way to foster an understanding of legal rights. In addition to diminishing the government's burden to

provide other, more direct types of assistance, these dispositional evaluations of education cut across lines of race, providing congressmen a malleable rationale for deferring voting rights to whites and blacks in the South. The last portion of the chapter examines the outcome of a subsequent Freedmen's Bureau renewal debate in 1870, examining how legislators shifted the responsibility for education from the government to voluntary, philanthropic organizations. Through this dual maneuver—defining education as the *sine qua non* of freedpeople's needs, and philanthropies as those responsible for providing education—Congress weaned itself from aiding the freed.

The struggle over broadening and narrowing the meaning of "education" forms the focus of Chapter Three, "'To Pluck Out the Eyes of the Nation': The Bureau of Education's Struggle to See Like a State." I argue that the Bureau of Education, proposed by James A. Garfield in 1866, represented a confluence of two faiths: one in education as a panacea for social problems, the other in statistical rationality as a mode of persuasion. The Bureau was posited as a doubly-indirect response to the tensions of federalism. Its promoters sought to "get under" the sentiments of the people by shaping schooling, and they sought to shape schooling by presenting incontrovertible, statistical evidence of education's benefits to state leaders. These two ends were, it turned out, very much at odds. In 1866, various proponents of the Bureau sounded like they were describing two completely different pieces of legislation: one concerned with transforming the political sentiments of American society, the other with disseminating modest reports aggregated from existing documents. After the establishment of the Bureau, debates over its continuation contemplated the value of statistical persuasion itself, with many Republicans calling for funds to be reallocated directly to common schools. And, once

the Bureau started publishing reports, members of Congress clashed over the purview of "education," questioning the objectivity, purpose, and necessity of the several-hundred-page documents the agency published. Capturing the status of "education" during the shift toward a technocratic, rational idiom of policymaking, the Bureau debate foregrounded the challenges of converting the broad ideal of education into particular strategies of promotion. Sacrificing ambiguity to give educational "sight" to the federal government, Garfield and fellow supporters of the Bureau encountered the challenges of fixing the meaning of "education" in a society dedicated to divided authority.

Finally, I address the culmination of Congress's debates over educational intervention in Chapter Four, "'Obliterating Sectional Feeling': Education and Federalism in the Hoar and Perce Bill Debates." Through debates over George Frisbie Hoar's bill for a National System of Education in 1871 and Legrand Perce's bill for an educational fund in 1872, I examine the divergent visions and shared premises of "New Departure" Democrats and Republican common school visionaries. Hoar, a friend of Sumner's and adherent to Horace Mann, ambitiously called for the federal government to intervene and establish schools in states that failed to meet their obligations to educate their citizens. He and his Republican supporters advocated the bill as a necessary intervention into the sentiments of the people, a way to reconfigure the substantive judgments of a political community. Conversely, Democratic opponents stressed that such an intervention would violate communities' prerogative to teach their own children. Breaking from Democrats in previous Congresses, they conceded education as a priority for national unity, and agreed with policies such as land grants and philanthropies as a way to promote education at a national scale. In the 1872 Perce Bill debate, both sides

made substantial (although at times implicit) concessions. Drafted by more pragmatic congressmen than Hoar, the bill built upon existing traditions of indirect federal aid, echoing past policies for educational land grants and charitable models that Democrats had admitted they would support. While proponents and opponents of the bill vehemently disputed key provisions regarding federal supervision and school integration, ultimately the shared premises of the two sides represented fundamental agreements about what formal education should look like, who bears responsibility for cultivating it, and its potential as a projector for visions of a future polity. Ultimately, I argue, the proponents of a federal role in education arrived at a more nuanced vision of the school as a mediator of political judgments, a way of helping citizens determine their "correct" interests between the cross-pressures of state and federal identity.

In a brief Epilogue, I gesture toward the implications of Reconstruction Era debate for the formation of a social imaginary. I first address how the underlying consensuses, fault lines, and ambiguities of education played an enabling role in the major expansions of the Progressive Era. I then discuss how the ideas that Sumner, Garfield, Hoar, Arnell, Donnelly and their adversaries explicitly articulated 150 years ago persist in subtler forms today. The intervention into the social imaginary envisioned by Reconstruction Era reformers still shapes the practices of American life, somewhere sedimented beneath generations of arguments and assumptions. When Americans look to the future, when they think about how others think, and when they imagine their place in a political community, they do so in part upon a bedrock of forgotten words, words once spoken by those who could not take "education" for granted.

Notes: Introduction

[1] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:594.

[2] Committee on House Administration of the U.S. House of Representatives, *Black Americans in Congress, 1870-2007* (Washington, DC: Government Printing Office, 2008), 62-67.

[3] Emily Edson Briggs, *The Olivia Letters: Being Some History of Washington City for Forty Years as Told by the Letters of a Newspaper Correspondent* (New York: Neale Publishing Company, 1906), 276.

[4] Cyril Outerbridge Packwood, *Joseph Hayne Rainey: Detour—Bermuda, Destination—U.S. House of Representatives* (Bermuda: The Island Press Limited, 1977).

[5] Packwood, *Joseph Hayne Rainey,* 25.

[6] Briggs, *The Olivia Letters*, 276.

[7] *Congressional Globe,* 42nd Cong., 2nd sess., 1872, Appendix, 16. For more on Rainey's speech, see Alrutheus A. Taylor, "Negro Congressmen a Generation After," *Journal of Negro History* 7 (1922): 150.

[8] *Congressional Globe,* 42nd Cong., 2nd sess., 1872, Appendix, 16.

[9] *Congressional Globe,* 42nd Cong., 2nd sess., 1872, Appendix, 16.

[10] Carl L. Bankston III and Stephen J. Caldas, *Public Education: America's Civil Religion; A Social History* (New York: Teachers College Press, 2009), 30.

[11] Packwood, *Joseph H. Rainey,* 11-12.

[12] For histories addressing the influx of federal activity during this time, see Gordon C. Lee, *The Struggle for Federal Aid, First Phase: A History of the Attempts to*

Obtain Federal Aid for the Common Schools, 1870-1890 (New York: Columbia University Teachers College, 1949); Donald R. Warren, *To Enforce Education: A History of the Founding Years of the U.S. Office of Education* (Detroit, MI: Wayne State University Press, 1974).

[13] Leonard P. Curry, *Blueprint for Modern America: Nonmilitary Legislation of the First Civil War Congress* (Nashville, TN: Vanderbilt University Press, 1968), 7-9; Richard Franklin Bensel, *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877* (New York: Cambridge University Press, 1990); Williamjames Hull Hoffer, *To Enlarge the Machinery of Government: Congressional Debates and the Growth of the American State, 1858-1891* (Baltimore, MD: Johns Hopkins University Press, 2007).

[14] *Congressional Globe,* 37th Cong., 2nd Sess., 1862, 32, pt. 3:1950; quoted in John Y. Simon, "The Politics of the Morrill Act," *Agricultural History* 37 (1963): 109.

[15] Lee, *The Struggle for Federal Aid,* 24; 54; 60-61.

[16] Tracy L. Steffes, *School, Society, & State: A New Education to Govern Modern America, 1890-1940* (Chicago: University of Chicago Press, 2012), 4-11.

[17] Charles Taylor, *A Secular Age* (Cambridge, MA: Harvard University Press, 2007), 171-173.

[18] On the rhetorical contestation of the Reconstruction period, see Kirt H. Wilson, *The Reconstruction Desegregation Debate: The Politics of Equality and the Rhetoric of Place, 1870-1875* (East Lansing: Michigan State University Press, 2002). His work is the most similar to my own project conceptually, historically, and textually, in that it studies congressional public policy debates during Reconstruction. It differs in its emphasis,

addressing debates over segregation in many areas of society. It also begins roughly where my study ends, at the start of the 1870s.

[19] Taylor, *A Secular Age*; Charles Taylor, *Modern Social Imaginaries* (Durham, NC: Duke University Press, 2004); Benedict Anderson, *Imagined Communities,* rev. ed. (1983; New York: Verso, 2006).

[20] The post-Civil War Era's importance in this development is highlighted in Bankston and Caldas, *Public Education*, 21; Henry J. Perkinson, *The Imperfect Panacea: American Faith in Education,* 4th ed. (Boston, MA: McGraw-Hill, 1995), 35-40; David Tyack, Thomas James, and Aaron Benavot, *Law and the Shaping of Public Education, 1785-1954* (Madison: University of Wisconsin Press, 1987)*,* 133-153.

Most books on Reconstruction Era education tend to focus on a specific element of that history, rather than considering the range of ways "education" was invoked. On school integration during Reconstruction, see William Preston Vaughn, *Schools for All: The Blacks and Public Education in the South, 1865-1877* (Lexington: University Press of Kentucky, 1974). On battles over parochial schooling and Catholic immigration in education, see Steven K. Green, *The Bible, the School, and the Constitution: The Clash that Shaped Modern Church-State Doctrine* (New York: Oxford University Press, 2012). And for a history of professional education association politics, see Warren, *To Enforce Education.* Throughout this project, I have found the following histories of education during this era exceptionally helpful at connecting the many different issues that intersected with education: Goodwin Liu, "Education, Equality, and National Citizenship," *Yale Law Journal* 116 (2006): 330-410; Ward M. McAfee, "Reconstruction Revisited: The Republican Education Crusade of the 1870s," *Civil War History* 42

(1996): 133-153; Ward M. McAfee, *Religion, Race, and Reconstruction: The Public School in the Politics of the 1870s* (Albany: State University of New York Press, 1998); Alfred H. Kelly, "The Congressional Controversy over School Segregation, 1867-1875," *American Historical Review* 64 (1959): 537-563.

[21] Charles Taylor, "Philosophy and Its History," in *Philosophy in History: Essays on the Historiography of Philosophy,* ed. Richard Rorty, J.B. Schneewind, and Quentin Skinner (New York: Cambridge University Press, 1984), 24. Mark Redhead provides an apt summary of Taylor's approach: "Taylor's intellectual history is genealogical in nature in that he starts from present, conflicting understandings of ideas central to modern notions of identity, faith, and secularity and tries to unearth specific earlier understandings." Mark Redhead, *Reasoning With Who We Are: Democratic Theory for a Not So Liberal Era* (Lanham, MD: Rowman and Littlefield, 2014), 93.

[22] For a detailed discussion of this incident, see Steven Ash, *A Massacre in Memphis: The Race Riot that Shook the Nation One Year After the Civil War* (New York: Hill and Wang, 2013), 79-80; 143-144.

[23] Deborah Stone, *Policy Paradox: The Art of Political Decision-Making,* 3rd ed. (New York: W.W. Norton and Company, 2012), 178-182.

[24] Rita Koganzon, "'Producing a Reconciliation of Disinterestedness and Commerce': The Political Rhetoric of Education in the Early Republic," *History of Education Quarterly* 52 (2012): 403-429; David Tyack, "Forming the National Character: Paradox in the Educational Thought of the Revolutionary Generation," *Harvard Educational Review* 36 (1966): 29-41.

[25] Perkinson argues that America's "faith in education rests on the conception that education is socialization… that education consists of changing people in some predetermined way." Perkinson, *The Imperfect Panacea,* xii.

[26] David F. Labaree, *Someone Has to Fail: The Zero-Sum Game of Public Schooling* (Cambridge, MA: Harvard University Press, 2010), 78.

[27] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 1:763; *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1040-1041.

[28] James Jasinski, "A Constitutive Framework for Rhetorical Historiography: Toward an Understanding of the Discursive (Re)constitution of 'Constitution' in *The Federalist Papers,*" in *Doing Rhetorical History: Concepts and Cases,* ed. Kathleen J. Turner (Tuscaloosa: University of Alabama Press, 1998), 83; 78. This view is commensurate with Ernest Wrage's perspective on rhetorical assertions as "records of man's responses to the social and physical world as expressed in formulations of thought." Ernest J. Wrage, "Public Address: A Study in Social and Intellectual History," *Quarterly Journal of Speech* 33 (1947): 451; Thomas Rosteck, "Form and Cultural Context in Rhetorical Criticism: Re-Reading Wrage," *Quarterly Journal of Speech* 84 (1998): 471-490.

[29] Michael B. Katz, *Reconstructing American Education* (Cambridge, MA: Harvard University Press, 1987); Carl F. Kaestle, *Pillars of the Republic: Common Schools and American Society, 1780-1860* (New York: Hill and Wang, 1983), 182-217.

[30] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:49; 56.

[31] Robert Asen, "Reflections on the Role of Rhetoric in Public Policy," *Rhetoric & Public Affairs* 13 (2010): 126. Asen has developed his account of public policy across

several books. See Robert Asen, *Invoking the Invisible Hand: Social Security and the Privatization Debates* (East Lansing: Michigan State University Press, 2009); and Robert Asen, *Democracy, Deliberation, and Education* (University Park: Penn State University Press, 2015). Asen situates his perspective in a broader "argumentative turn" in the study of public policy analysis and discourse. See Frank Fischer, *Reframing Public Policy: Discursive Politics and Deliberative Practices* (New York: Oxford University Press, 2003).

[32] Asen, "Reflections on the Role of Rhetoric in Public Policy," 126.

[33] Asen, "Reflections on the Role of Rhetoric in Public Policy," 127.

[34] Asen, "Reflections on the Role of Rhetoric in Public Policy," 130.

[35] See McAfee, *Religion, Race, and Reconstruction,* 108-109; Karl-Ernst Jeismann, "American Observations Concerning the Prussian Educational System in the Nineteenth Century," in *German Influences on Education in the United States to 1917,* ed. Henry Geitz, Jürgen Heideking, and Jurgen Herbst (New York: Cambridge University Press, 1995), 21-42. On the history of public schooling in Prussia during the 19th century, see Charles Leslie Glenn, Jr., *Contrasting Models of State and School: A Comparative Historical Study of Parental Choice and State Control* (New York: Continuum Books, 2011), 40-93.

[36] Kurt T. Lash, *The Fourteenth Amendment and the Privileges and Immunities of American Citizenship* (New York: Cambridge University Press, 2014), 6.

[37] Hoffer, *To Enlarge the Machinery of Government*; Brian Balogh, *A Government Out of Sight: The Mystery of National Authority in Nineteenth-Century America* (New York: Cambridge University Press, 2009); Brian Balogh, *The*

Associational State: American Governance in the Twentieth Century (Philadelphia: University of Pennsylvania Press, 2015); Gary Gerstle, *Liberty and Coercion: The Paradox of American Government from the Founding to the Present* (Princeton, NJ: Princeton University Press, 2015).

[38] On the idiomatic shift toward statistics and numbers in public policy discourse, see Theodore M. Porter, *Trust in Numbers: The Pursuit of Objectivity in Science and Public Life* (Princeton, NJ: Princeton University Press, 1995); Theodore M. Porter, *The Rise of Statistical Thinking, 1820-1900* (Princeton, NJ: Princeton University Press, 1986).

[39] David B. Tyack, *The One Best System: A History of American Urban Education* (Cambridge, MA: Harvard University Press, 1974); Raymond E. Callahan, *Education and the Cult of Efficiency: A Study of the Social Forces that Have Shaped the Administration of Public Schools* (Chicago: University of Chicago Press, 1962).

[40] William J. Reese, *Testing Wars in the Public Schools: A Forgotten History* (Cambridge, MA: Harvard University Press, 2013).

[41] John Carson, *The Measure of Merit: Talents, Intelligence, and Inequality in the French and American Republics, 1750-1940* (Princeton, NJ: Princeton University Press, 2007), 11-13; Lorraine Smith Pangle and Thomas L. Pangle, *The Learning of Liberty: The Educational Ideas of the American Founders* (Lawrence: The University Press of Kansas, 1993); Richard D. Brown, *The Strength of a People: The Idea of an Informed Citizenry in America, 1650-1870* (Chapel Hill: University of North Carolina Press, 1996).

[42] For more on the pervasiveness of this theme in antebellum America, see Mark Garrett Longaker, *Rhetoric and the Republic: Politics, Civic Discourse, and Education in Early America* (Tuscaloosa: The University of Alabama Press, 2007).

[43] James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998), 89-90. On the emergence of statistical societies in the antebellum era, see Paul J. Fitzpatrick, "Statistical Societies in the United States in the Nineteenth Century," *The American Statistician* 11 (1957): 13-21. On the turn to technocratic administration in educational associations, see Andrew Jewett, *Science, Democracy, and the American University: From the Civil War to the Cold War* (New York: Cambridge University Press, 2012), 43; Bernard C. Steiner, *Life of Henry Barnard: The First United States Commissioner of Education, 1867-1870* (Washington, DC: Government Printing Office, 1919), 104-105.

[44] Scott calls this the "paradox of seeing"—that to see a social phenomenon at a remove requires a "narrowing of vision" to focus on a small set of representative indicators. Scott, *Seeing Like a State,* 15.

[45] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:592-593.

[46] See, for instance, David Tyack and Larry Cuban, *Tinkering Toward Utopia: A Century of Public School Reform* (Cambridge, MA: Harvard University Press, 1995).

[47] Edward S. Joynes, *Education After the War: A Letter Addressed to a Member of The Southern Educational Convention, Columbia, S.C., 28th April 1862* (Richmond, VA: Macfarland and Fergusson, Printers, 1863), 13.

[48] For example, see William McDonald and J.S. Blackburn, *A Southern School History of the United States of America: From the Earliest Discoveries to the Present Time* (Baltimore, MD: George Lycett, 1869).

[49] On Schurz's sympathetic view of Prussia, particularly during the Austro-Prussian War in 1866, see Hans L. Trefousse, *Carl Schurz: A Biography* (Knoxville: University of Tennessee Press, 1982), 165-167.

[50] Carl Schurz, *The Condition of the South: Extracts from the Report of Major-General Carl Schurz, on the States of South Carolina, Georgia, Alabama, Mississippi and Louisiana; Addressed to the President* (Philadelphia, PA: n.p.), 6.

[51] Schurz, *The Condition of the South,* 7, italics his.

[52] It is "directly against the essence of a Common-wealth," Hobbes said, "*That the Soveraign Power may be divided.* For what is it to divide the Power of a Common-wealth, but to Dissolve it; for Powers divided mutually destroy each other." Thomas Hobbes, *Leviathan, Or The Matter, Forme, & Power of a Common-Wealth Ecclesiasticall and Civill,* ed. Ian Shapiro (1651; New Haven, CT: Yale University Press, 2010), 196, italics his. See also Forrest MacDonald, *States' Rights and the Union: Imperium in Imperio, 1776-1876* (Lawrence: University Press of Kansas, 2000), viii; Alison L. LaCroix, *The Ideological Origins of American Federalism* (Cambridge, MA: Harvard University Press, 2010), 13-14.

[53] LaCroix, *The Ideological Origins of American Federalism*, 6.

[54] James Madison, "No. 39: The Conformity of the Plan to Republican Principles," in *The Federalist Papers*, ed. Charles R. Kesler (1788; New York: Signet Classics, 2003), 241.

[55] James Madison, "No. 37: Concerning the Difficulties of the Convention in Devising a Proper Form of Government," in *The Federalist Papers,* 223-225.

[56] David Zarefsky and Victoria J. Gallagher, "From 'Conflict' to 'Constitutional Question': Transformations in Early American Public Discourse," *Quarterly Journal of Speech* 76 (1990): 258.

[57] As James Boyd White remarks, Chief Justice John Marshall decided the case by positioning himself as "the expositor of the text that expresses the will of 'the People'… the only instrument through which their will can be done." James Boyd White, *When Words Lose Their Meaning: Constitutions and Reconstitutions of Language, Character, and Community* (Chicago: University of Chicago Press, 1984), 255; *McCulloch v. Maryland* 17 U.S. 316 (1819); LaCroix, *The Ideological Origins of American Federalism,* 158-166.

[58] As David Zarefsky recounts in his discussion of the *Dred Scott* decision, the Supreme Court had lost much of this legitimacy by the Civil War period. David Zarefsky, *Lincoln, Douglas, and Slavery: In the Crucible of Public Debate* (Chicago: University of Chicago Press, 1990), 9-11.

[59] Daniel Webster, "Speech of Mr. Webster in Reply to Mr. Hayne, In the Senate, on Foote's Resolution, Tuesday and Wednesday, January 26 and 27, 1830," in *The Great Debate Between Hayne and Webster: The Speech of Daniel Webster in Reply to Robert Young Hayne,* ed. Lindsay Swift (New York: Houghton Mifflin, 1898), 206.

[60] Webster, "Speech of Mr. Webster in Reply to Mr. Hayne," 211.

[61] Maurice Charland, "Constitutive Rhetoric: The Case of the *Peuple Québécois,*" *Quarterly Journal of Speech* 73 (1987): 142.

[62] James Jasinski, "Rhetoric and Judgment in the Constitutional Ratification Debate of 1787-1788: An Exploration of the Relationship between Theory and Critical

Practice," *Quarterly Journal of Speech* 78 (1992): 197-218. Jasinski develops this distinction from Ronald Beiner, *Political Judgment* (Chicago: University of Chicago Press, 1983), 103-109.

[63] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, Appendix, 486.

[64] James Madison, "No. 10: The Same Subject Continued," in *The Federalist Papers,* 73.

[65] Michael J. Steudeman, "Horace Mann, 'The Necessity of Education in a Republican Government' (Fall 1839)," *Voices of Democracy* 8 (2014): 1-22; Brian W. Dotts, "'Making Rome Appear More Roman': Common Schooling and the Whig Response to Jacksonianism," *Journal of Philosophy & History of Education* 62 (2012): 207-226; Julie M. Walsh, *The Intellectual Origins of Mass Parties and Mass Schools in the Jacksonian Period: Creating a Conformed Citizenry* (New York: Garland, 1998).

[66] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3046.

[67] On the centralization and strength of school systems in antebellum New England relative to other states and areas of public policy, see Tyack, James, and Benavot, *Law and the Shaping of Public Education,* 53; 43-76.

[68] It is difficult to understate how deep these educational roots went for some communities. Discussing a representative example, Nancy Beadie explains that building a school house "established a physical identity for the town that had not existed before… It established education, or more specifically schooling, as a central end of community support and investment." Nancy Beadie, *Education and the Creation of Capital in the Early American Republic* (New York: Cambridge University Press, 2010), 29; 20-32.

[69] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 95. I develop my discussion of the New Departure Democrats in Chapters Two and Four.

[70] Michael Schudson, *The Good Citizen: A History of American Civic Life* (New York: The Free Press, 1998), 182-187.

[71] On the absence of agency for children in American educational law and rhetoric, see Roger J.R. Levesque, "The Right to Education in the United States: Beyond the Limits of the Lore and Lure of Law," *Annual Survey of International and Comparative Law* 4 (1997): 205-252; Ann Davies, "In Law More Than in Life? Liberalism, Reason, and Religion in Public Schools," *Rhetoric & Public Affairs* 9 (2006): 441.

[72] Asen, *Democracy, Deliberation, and Education,* 3-5; Karen Tracy, *Challenges of Ordinary Democracy: A Case Study in Deliberation and Dissent* (State College: Penn State University Press, 2010), 8-14.

[73] Quoted in Thomas Holt, *Black Over White: Negro Political Leadership in South Carolina During Reconstruction* (Urbana: University of Illinois Press, 1977), 84.

[74] *Proceedings of the Constitutional Convention of South Carolina, Held at Charleston, S.C., Beginning January 14th and Ending March 17th, 1868, Including the Debates and Proceedings* (Charleston, SC: Denny and Perry, 1868). On Cardozo's popularity, see Douglas R. Egerton, *The Wars of Reconstruction: The Brief, Violent History of America's Most Progressive Era* (New York: Bloomsbury Press, 2014), 225-226.

[75] Joe M. Richardson, "Francis L. Cardozo: Black Educator During Reconstruction," *Journal of Negro Education* 48 (1979): 73-83.

[76] *Proceedings of the Constitutional Convention of South Carolina,* 900-901.

[77] In making this argument, I am following William W. Cutler, III's observation that the American conception of public schooling is in indelibly linked to the particular institutional space of the classroom. William W. Cutler, III, "Cathedral of Culture: The Schoolhouse in American Educational Thought and Practice Since 1820," *History of Education Quarterly* 29 (1989): 1-40.

[78] On the distinction between *kairos* and *chronos,* see John E. Smith, "Time, Times, and the 'Right Time': 'Chronos' and 'Kairos,'" *The Monist* 53 (1969): 1-13; Phillip Sipiora, "Introduction: The Ancient Concept of *Kairos,*" in *Rhetoric and Kairos: Essays in History, Theory, and Praxis,* ed. Phillip Sipiora and James S. Baumlin (Albany: State University of New York Press, 2002), 1-22.

[79] Doreen Massey, *For Space* (Thousand Oaks, CA: SAGE Publications, 2005), 147.

[80] For this reason, I employ Mikhail Bakhtin's concept of a "chronotope," a literary construct increasingly applied to conceptions of law and public policy. In a chronotope, Bakhtin explains, the connection between "temporal and spatial indicators" is "direct and unmediated." What happens in space implicates time, and vice versa. I elaborate on this concept in more detail in Chapter One. Mikhail Bakhtin, *The Dialogic Imagination: Four Essays,* ed. Michael Holquist; trans. Caryl Emerson and Michael Holquist (Austin: University of Texas Press, 1982), 86. On the usage of this concept in law and public policy, see Mariana Valverde, *Chronotopes of Law: Jurisdiction, Scale, and Governance* (New York: Routledge, 2015); Jordynn Jack, "Chronotopes: Forms of Time in Rhetorical Argument," *College English* 69 (2006): 52-73.

[81] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1072-1073.

[82] Jacques Rancière, *The Ignorant Schoolmaster: Five Lessons in Intellectual Emancipation,* trans. Kristin Ross (Stanford, CA: Stanford University Press, 1991), 132.

[83] Rancière, *The Ignorant Schoolmaster*, 120.

[84] Robert Asen, "A Discourse Theory of Citizenship," *Quarterly Journal of Speech* 90 (2004): 194.

[85] Asen, "A Discourse Theory of Citizenship," 192.

[86] Asen, "A Discourse Theory of Citizenship," 195.

[87] In making this argument, I build upon Kenneth Rufo and R. Jarrod Atchison's critique of Asen's "Discourse Theory." As they argue, interpreting dispositions means rendering a "post hoc divination of… private motivations," which problematically means imputing mental states. I develop this critique in more detail in Chapter Two. Kenneth Rufo and R. Jarrod Atchison, "From Circus to Fasces: The Disciplinary Politics of Citizen and Citizenship," *Review of Communication* 11 (2011): 207.

[88] David Tyack and Elisabeth Hansot, *Managers of Virtue: Public School Leadership in America, 1820-1980* (New York: Basic Books, 1982), 15-104.

[89] James B. Salazar, *Bodies of Reform: The Rhetoric of Character in Gilded Age America* (New York: New York University Press, 2010), 5.

[90] Salazar, *Bodies of Reform,* 88. For instance, teachers with the American Missionary Association regarded freedpeople's minds as being "in a 'plastic' or 'elastic' state" that could be shaped in line with Northern conceptions of industry and morality. Jacqueline Jones, *Soldiers of Light and Love: Northern Teachers and Georgia Blacks, 1865-1873* (Athens: University of Georgia Press, 1992), 140.

[91] Kirt H. Wilson, "The Racial Politics of Imitation in the Nineteenth Century," *Quarterly Journal of Speech* 89 (2003): 89-108.

[92] Daniel T. Rodgers, *Contested Truths: Keywords in American Politics Since Independence* (1987; rpt., Cambridge, MA: Harvard University Press, 1998), 139.

[93] Rogers Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History* (New Haven, CT: Yale University Press, 1997), 31.

[94] Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988), 275-280; William Gillette, *The Right to Vote: Politics and the Passage of the Fifteenth Amendment* (Baltimore, MD: Johns Hopkins University Press, 1965), 21-45.

[95] Susanna Michele Lee, "The Antithesis of Union Men and Confederate Rebels: Loyal Citizenship in the Post-Civil War South," in *Creating Citizenship in the Nineteenth-Century South,* ed. William A. Link (Gainesville: University Press of Florida, 2013), 150-151.

[96] McAfee, *Religion, Race, and Reconstruction,* 23-25; 125-202; Edlie D. Wong, *Racial Reconstruction: Black Inclusion, Chinese Exclusion, and the Fictions of Citizenship* (New York: New York University Press, 2015).

[97] Smith, *Civic Ideals,* 6.

[98] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3049.

[99] Mark Hlavacik, *Assigning Blame: The Rhetoric of Education Reform in the United States* (Cambridge, MA: Harvard Education Press, forthcoming fall 2016).

[100] As Étienne Balibar writes, the traditions of citizenship dating back to Aristotle allowed for discrimination based on "the basis of anthropological difference" ascribed by

nature. I argue that the subtler rhetorical invention of universal, meritocratic education allowed for all people to be "created equal" in principle, yet justly excluded based on inferior personal prerogative or socialization. Étienne Balibar, *Citizenship,* trans. Thomas Scott-Raiton (2012; trans., Malden, MA: Polity Press, 2015), 15.

[101] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:395.

[102] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:396.

[103] Olivier Zunz, *Philanthropy in America: A History* (Princeton, NJ: Princeton University Press, 2012), 10; Tyack and Hansot, *Managers of Virtue*, 88-92.

[104] I discuss the function of one such myth in Michael J. Steudeman, "'The Guardian Genius of Democracy': The Myth of the Heroic Teacher in Lyndon B. Johnson's Education Policy Rhetoric, 1964-1966," *Rhetoric & Public Affairs* 17 (2014): 477-510. On the function of myth as a force for obfuscating policy differences more generally, see Dvora Yanow, *How Does a Policy Mean? Interpreting Policy and Organizational Actions* (Washington, DC: Georgetown University Press, 1996), 189-202.

[105] Alexis de Tocqueville, *Democracy in America*, trans. Arthur Goldhammer (1835; New York: Library of America, 2004), 557.

[106] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2317.

[107] Saidiya V. Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York: Oxford University Press, 1997), 117-118.

[108] "John F. Farnsworth, 8th Ill. Cavalary" (n.p.); from Library of Congress, *Prints and Photographs Division,* photograph, https://www.loc.gov/item/cwp2003001472/PP/. For biographical information on Farnsworth, see Hoffer, *To Enlarge the Machinery of Government,* 101-103.

[109] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3705.

[110] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 2:1491.

[111] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 1:492.

[112] According to Taylor, "the 'long march' is a process whereby new practices, or modifications of old ones" emerged in one of (at least) three ways. First, he says, these practices could be "developed through improvisation among certain groups and strata of the population." Secondly, they may be "launched by elites in such a way as to recruit a larger and larger base." Thirdly, "a set of practices in the course of their slow development and ramification gradually changed their meaning for people, and hence helped to constitute a new social imaginary." This study is concerned with a confluence of all three forms of change—the shifts in language brought about in congressional debate; the leadership exerted by congressional elites; and the gradual shifting of "educational" ideas across time. Taylor, *A Secular Age,* 176.

[113] Dilip Parameshwar Gaonkar, "Toward New Imaginaries: An Introduction," *Public Culture* 14 (2002): 11.

[114] Taylor, *A Secular Age*.

[115] Darrel Enck-Wanzer, "Decolonizing Imaginaries: Rethinking 'the People' in the Young Lords' Church Offensive," *Quarterly Journal of Speech* 98 (2012): 15.

[116] Asen, "Reflections on the Role of Rhetoric in Public Policy," 132.

[117] Asen, "Reflections on the Role of Rhetoric in Public Policy," 133.

[118] Asen, "Reflections on the Role of Rhetoric in Public Policy," 138.

[119] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 2:903.

[120] On the feminization of the teaching force during the common school movement, see Dana Goldstein, *The Teacher Wars: A History of America's Most Embattled Profession* (New York: Doubleday, 2014), 13-32; Tyack and Hansot, *Managers of Virtue,* 63-72.

[121] Mark Wahlgren Summers, *The Ordeal of the Reunion: A New History of Reconstruction* (Chapel Hill: University of North Carolina Press, 2014), 3-4.

[122] See Shawn J. Parry-Giles, "Archival Research and the American Presidency: The Political and Rhetorical Complexities of Presidential Records," in *The Handbook of Rhetoric and Public Address*, ed. Shawn J. Parry-Giles and J. Michael Hogan (East Lansing: Michigan State University Press, 2009), 157-183.

[123] Elizabeth Gregory McPherson, "Reporting the Debates of Congress," *Quarterly Journal of Speech* 28 (1942): 145; Hoffer, *To Enlarge the Machinery of Government,* x; xii.

[124] *Congressional Globe,* 39th Cong., 2nd Sess., 1867, 37, pt. 2:1396.

[125] John Shaw, ed., *Crete and James: Personal Letters of Lucretia and James Garfield* (East Lansing: Michigan State University Press, 1994), 232.

[126] McPherson, "Reporting the Debates of Congress," 147.

[127] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 1:565.

[128] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3706.

[129] For example, Thomas D. Eliot complained when one of his colleague's floor statements was relegated to the Appendix, published at the end of the session rather than the end of the day. He had hoped to read the speech before addressing its arguments. *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 2:1997.

[130] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3706.

[131] W.E.B. DuBois, *Black Reconstruction in America: An Essay Toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880* (New York: Russell and Russell, 1935), 723.

[132] Hoffer, *To Enlarge the Machinery of Government*; Wilson, *The Reconstruction Desegregation Debate.*

[133] See Leon Friedman, ed., *Brown v. Board: The Landmark Oral Argument Before the Supreme Court* (1969; rpt., New York: The New Press, 2004), 268-269; Pamela Brandwein, *Reconstructing Reconstruction: The Supreme Court and the Production of Historical Truth* (Durham, NC: Duke University Press, 1999).

[134] What I mean by arguments becoming "sedimented" is what Taylor describes as the process of "historical forgetting," of practices becoming difficult to grasp or reflect upon because they "are captured within the terms of a certain received 'common sense.'" As Taylor explains, "It would be a madly idealist view to see all current practices as somehow the embodiment of earlier explicit theories. But the case I am making here depends on no such outlandish claim. It suffices that, for whatever reason, some earlier formulations *have* been taken up, and have been given some kind of foundational or paradigm status in the development of a practice. Then, although social change, drift, the pressure of other practices, unsuspected success, alterations in the scale of society, and historical forgetting will all have done their work—so that the upshot would be quite unrecognizable to the founding formulators—nevertheless, it can be that recovering their formulation is on essential condition to understanding this upshot." Taylor, "Philosophy and Its History," 24-25; Taylor, *A Secular Age,* 29.

[135] Justin Smith Morrill, *Speech of Hon. Justin S. Morrill of Vermont, on the Bill Granting Lands for Agricultural Colleges; Delivered in the House of Representatives, April 20, 1858* (Washington, DC: Congressional Globe Office, 1858), 1.

[136] The proposed colleges would appeal to farmers and mechanics, Morrill stressed, without attracting students from the "separate spheres" of existing liberal arts colleges. Morrill, *Speech of Hon. Justin S. Morrill of Vermont*, 4; 8.

[137] The bill passed 105-100 in the House of Representatives on April 22, 1858. On February 7, 1859, it passed in the Senate by a vote difference of 25 to 22. Buchanan vetoed the bill on February 24, 1859. James Buchanan, "Veto Message," February 24, 1859, *American Presidency Project,* online by Gerhard Peters and John T. Woolley, http://www.presidency.ucsb.edu/ws/?pid=68368.

[138] As John H. Florer writes, the major opposition to the Morrill Bill in its 1862 iteration came from Western states, whose representatives expressed concerns about the prospect of Eastern land speculators manipulating the legislation to procure public lands. John H. Florer, "Major Issues in the Congressional Debate of the Morrill Act of 1862," *History of Education Quarterly* 8 (1968): 460.

[139] Justin Smith Morrill, *Agricultural Colleges: Speech of Hon. Justin S. Morrill, of Vermont, in the House of Representatives, June 6, 1862* (Washington, DC: Congressional Globe Office, 1862), 7.

[140] Morrill, *Agricultural Colleges,* 6. My discussion of this transition is informed by Robert Webster Welch, who analyzed Morrill's evolving appeals across three Morrill Act speeches for changes in tone and emphasis. Robert Webster Welch, "A Rhetorical Study of the Legislative Speaking of Congressman Justin Smith Morrill of Vermont in

the U.S. House of Representatives on Selected Issues, 1855-1867" (PhD diss., The Pennsylvania State University, 1977), 237-310.

[141] "The land-grant college is testimony to a belief in the wisdom of extending educational opportunity… it is altogether apparent that the logic and zeal that produced the American common school… led straight to the state university and the land-grant college." Gordon C. Lee, "The Morrill Act and Education," *British Journal of Educational Studies* 12 (1963): 34.

[142] Foner, *Reconstruction,* 176-271.

[143] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3049.

[144] On the electoral, congressional, and constitutional politics of 1866, see Lash, *The Fourteenth Amendment and the Privileges and Immunities of Citizenship,* 176-229.

[145] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:51.

[146] Michael Les Benedict, *A Compromise of Principle: Congressional Republicans and Reconstruction, 1863-1869* (New York: W.W. Norton and Company, 1974)*,* 257-273.

[147] Ronald E. Butchart, *Northern Schools, Southern Blacks, and Reconstruction: Freedmen's Education, 1862-1875* (Westport, CT: Greenwood Press, 1980).

[148] Foner, *Reconstruction,* 452-454.

[149] *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 2:1029; Benedict, *A Compromise of Principle,* 325-327.

[150] *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 2:1097.

[151] As William Horatio Barnes writes, legislative committees were where the most intricate work of language-crafting occurred, among congressmen "whose opportunities,

interests, or inclinations have led them to give particular attention to the matters committed to their charge." William Horatio Barnes, *History of the Thirty-Ninth Congress of the United States* (New York: Harper & Brothers, 1868), 25. I discuss the committee in greater detail in Chapters Two and Four.

[152] McAfee, *Religion, Race, and Reconstruction,* 105-124.

CHAPTER ONE

"CHARACTER IS NOT CHANGED IN A DAY": PROJECTION AND DEFERRAL IN CHARLES SUMNER'S VISION OF A RECONSTRUCTED SOUTH

Time is the gentlest, but most powerful, revolutionist.

- Senator Charles Sumner, September 14, 1865[1]

On the Fourth of July in 1842, authorities of the City of Boston selected Massachusetts Secretary of Education Horace Mann to deliver an annual oration commemorating the founding of the United States. Instead, Mann used the occasion to prophesize that the nation would collapse without a firmer commitment to public schools. Deeply apprehensive about the spread of Jacksonian democracy, Mann warned that a plague of dishonest stump speakers was poised to exploit the nation's illiterate masses.[2] In every possible line of social division, Mann saw the possibility for civil conflict—between "Rich and poor, high and low, radical and conservative, bigot and latitudinarian."[3] Above all, Mann feared the deep division in educational commitments between the North and South. Though Mann was discouraged by many Northern states' inattention to schooling, he regarded the situation in the future Confederate states as too "useless and sickening" to even describe to his audience.[4] In most of the South, he decried, the only educational laws on the books made "it a severely punishable offence, to educate a slave!"[5] Without a citizenry capable of distinguishing wrong from right, or reason from ignorance, the conflicting interests of class, region, or ideology would invariably lead to conflict. "Let us suppose that we were now overtaken by some great crisis in our national affairs… in the issue of some presidential contest, for instance. War impends."[6] After three years of trekking across Massachusetts on horseback to spread his

message to often unreceptive audiences, Mann's ominous message found sympathizers in the reform circles of Boston.[7] Among the enamored was 31-year-old Charles Sumner, a lawyer who recently returned from Europe eager to promote causes of abolition, common schools, and prison discipline reform. He called Mann the "apostle" of education, and his speech, "the noblest production ever called forth" at the annual celebration.[8]

Two decades later, a presidential election provoked a great sectional crisis, and Mann's portent came to pass. When that war drew to a close, Sumner emerged as the moral leader of the Senate's radical Republicans, the party faction most adamantly in favor of civil rights and stringent prerequisites for Southern readmission. As Sumner grappled with the question of how to rebuild a nation torn asunder by five years of brutal conflict, he returned to the education reform arguments of his early political career for an answer. In debates over the language of the 14th Amendment, the readmission of Southern states, and the enforcement of civil rights for emancipated slaves, Sumner echoed Mann's treatment of education as a mode of moral reform and a bulwark against future acts of rebellion. "A republic without education," Sumner exclaimed, "is like the creature of imagination, a human being without a soul, living and moving blindly, with no just sense of the present or future. It is a monster. Such have been the Rebel States,—for years nothing less than political monsters."[9] Only if the minds of the former Confederates were transformed, only if their children were acculturated into the New England vision of human progress, could the Union be secured. Sumner extended a similar logic to former slaves, for whom education could enable their perilous trek across the "bridge from slavery to freedom."[10] The school provided a way of duplicating a

common experience, and in turn ensuring that disparate people, whether in Texas or Maine, whether white or black, could share in a "social imaginary."[11]

In many ways that Mann and Sumner envisioned, education has indeed become part of the background of American life.[12] Now compulsory and (assumed to be) universally accessible, education plays a crucial role in Americans' tacit, often-unspoken beliefs about strangers' civic worth, political inclusion, and social mobility.[13] As Sumner once hoped, widely-shared practices of education today help enable what Charles Taylor calls "a wider grasp of our whole predicament: how we stand to each other, how we got to where we are, how we relate to other groups, and so on."[14] To be sure, no straight line can be drawn from Mann's educational ideals, through Sumner, to the present. But Sumner's place in the crucible of congressional debate that followed the Civil War provides a compelling entry point for evaluating the complex mixture of political theory, ideological constraints, and institutional changes that fomented the moral image of America as an educated community. Dedicated to the complex, conflicting ideals of the common school movement, Sumner played a crucial, albeit tragic, role in revolutionary efforts to reinvent postbellum political culture and institutions. The constraints he faced, commitments he maintained, causes he abandoned, and arguments he encountered all bear upon the formation of America's educational imaginary.

Sumner's educational vision relied on a particular understanding of the relationship between space, time, and nation. The possibility of imagining a nation in the 18th and 19th centuries, Benedict Anderson observes, depended on the capacity to imagine parallel communities "moving steadily down (or up) history" through "homogenous, empty time."[15] In Sumner's education discourse, this concept of historical movement

took on a particular form, one of nations engaged in a great race toward an ever-receding horizon of intellectual enlightenment. Steeped in the transcendentalist milieu of antebellum Massachusetts, Sumner embraced a view of history as an "accretion of moments from here to eternity."[16] He postulated that those unaware of this temporal progression were destined to meander aimlessly without a sense of divine purpose.

Amid the regional diversity of the 19th-century United States, not many Americans shared this sense of temporality outside the reform cultures of New England.[17] Sumner would, rather, have to advocate his vision of human progress as one that subsumed what Thomas M. Allen calls the "myriad fragments of heterogeneous, local, and transient temporal cultures" of a nation in flux.[18] Against the agrarian rhythms of plantation slavery, the uniformity of the factory clock, the interruptions of war, the cycles of republican decay, and the exigencies conjured by his Senate colleagues, Sumner advanced rhetorical reconfigurations of space and time aligned with his Enlightenment vision of progress.[19] The school offered Sumner the hope of marshalling citizens into a shared orientation toward time—what Melanie Loehwing calls a "tense of citizenship"—to overcome the temporal disunion that prompted Civil War.[20]

The school's ability to alter citizens' progress through time depended, for Sumner, on how it positioned them in space. In Doreen Massey's terms, space could "be characterized as providing the condition for the existence of those relations which generate time."[21] This understanding of space as inherently relational underpinned Sumner's advocacy for integrated schools. "[T]he law contemplates not only that [children] shall all be taught," he insisted, "but that they shall be taught *all together.*"[22] Rhetorically, Sumner's vision of the school functioned as what Mikhail Bakhtin calls a

"chronotope," a literary device characterized by the "intrinsic connectedness of temporal and spatial indicators."[23] In a chronotope, depictions of time and space implicate each other, as time "becomes artistically visible" and "space becomes charged and responsive to the movements of time, plot and history."[24] With each change in a classroom's relational composition, the students' temporal orientation changed with it. Movement toward divine providence could only occur through spatial arrangements that alleviated prejudice.

To imbue his educational arguments with urgency, Sumner compressed the duration of children's mental development to imagine years of learning in the course of a speech.[25] In this way, Sumner's vision of education complicated traditional understandings of rhetorical time described in the distinction between *kairos* and *chronos,* or qualitative appropriateness and quantitative duration. In Sumner's classroom, *chronos* was not merely a precession of indistinguishable moments. Duration had a qualitative dimension that altered the trajectory of children's lives over decades.[26] Through the temporal configurations of his speeches, Sumner collapsed this imagined qualitative duration into a rhetorical instant. As Kirt Wilson writes, Sumner eschewed the accomodationist prudence of his Senate colleagues, calling instead upon a notion of divine prudence to supersede the transient concerns of the present.[27] The classroom secularized this appeal, drawing on the inevitability that all children would grow to adulthood to justify immediate education reform.

Primarily remembered as an unrelenting advocate of civil rights, history has done little to vanquish Sumner's reputation among his contemporaries as a principled (or stubborn) "man of one idea," willing to subordinate issues like education in his quest for

universal equality.[28] I argue that ignoring Sumner's career-long support for common schools risks minimizing the contradictions and conflicts that characterized his dedication to "equality before the law."[29] While compressing the duration of children's lives into the present moment rendered education more urgent, it also introduced a logic of deferral into Sumner's calls for suffrage, integration, and civil rights. Derived from republican political theory, Sumner's educational views assumed an ever-present temporal distance between the ignorant *demos* and the possessors of civic virtue.[30] As Jacques Rancière writes of similar educational rhetorics in France, "The task to which the republican hearts and minds are devoted is to make an equal society out of unequal men, to *reduce* inequality indefinitely."[31] Sumner's rhetoric, and that of many radical Republicans who followed him, relied on an implicit assumption of inequality between the educated and uneducated. This assumption complicated his broader pursuit of equal political rights for all, particularly when he argued for universal suffrage.

In this chapter, I argue that Sumner responded to the dissonant temporal cultures of the Union and Confederate states with a vision of common schooling. Inscribed in this vision was a tension between concepts of universal equality and educational inequality that shaped the course of his rhetoric throughout Reconstruction. Beginning from his rhetorical formation in the transcendentalist reform currents of 1840s Boston, Sumner developed a vision of national community predicated on shared educational experience—a vision laden with temporal commonplaces and contradictions. During Reconstruction, advocating this vision meant assuming that former rebels should remain in political purgatory until republican rights and duties could be taught. At the same time, Sumner's broader rhetoric of civil rights and universal suffrage demanded the immediate political

empowerment of millions of emancipated citizens who lacked prior access to schooling. Sumner found himself conflicted between advocating for education as a civic prerequisite and critiquing it as a rationalization for deferred justice. Throughout these debates, Sumner vacillated between the educational logic of temporal deferral and a more radical conception of equality that eschewed educational distinctions. At its most egalitarian, Sumner's position approximated what Rancière calls "emancipatory pedagogy," a "method of equality" that begins by rejecting assumptions of hierarchy predicated on knowledge.[32] Unfortunately, this pedagogy proved to be incommensurate with Sumner's inheritance from the common school movement: the conceit that all souls could be equal, if only awakened in educational space to the temporal trajectory of human progress.

The Nation as Educated Community: Sumner in Boston, 1842-1850

On the eve of Reconstruction, Sumner looked to his roots to explain his assertive vision for national reform. "Massachusetts means always to keep on the right road, and, by unerring instinct, knows the way."[33] Two decades before, Sumner cultivated his rhetoric of righteousness, and education's important role within it, in this culture of "unerring instinct." As the 1840s began, Ralph Waldo Emerson admonished an audience of Bostonians to recognize "what a house of cards their institutions are"—and "what one brave man, what one great thought executed might effect."[34] Public figures in the city were taking heed. Samuel Gridley Howe was agitating for reforms in prison discipline; Dorothea Dix for humane mental asylums; and Horace Mann for common schools.[35] Sumner not only embraced these causes, but also built strong relationships with their champions. His association with Mann dated back to the late 1830s, when both men worked in legal offices at Number Four Court Street in Boston.[36] Through his affiliation

with Mann, Sumner became embroiled in a local education controversy in 1844. Five years later, Sumner played a fundamental role in efforts to desegregate the city's public schools. In his advocacy during and between these episodes, Sumner developed a repertoire of educational arguments he later carried with him to the Senate. Education came to inflect Sumner's vision of the nation, its boundaries, and the means of its perpetuation. As Sumner's chronotopic classroom evolved with the challenges of each debate, his conception of educational space shifted: from one concerned with the curricular process to one that emphasized the co-presence of students. The turn to a relational concept of space, I argue, inaugurated a temporal tension in Sumner's rhetoric that he carried into Reconstruction.

The reform causes Sumner joined in the 1840s shared a common belief that controlling social space was the key to shaping the human mind. Howe advocated methods of prison discipline that would increase prisoners' exposure to the influences of "virtuous persons."[37] Dix condemned the confinement of the mentally ill into "*cages, closets, cellars, stalls, pens!*"[38] And Mann prepared detailed essays on the ideal arrangement of schoolrooms to maximize learning.[39] This concern for social space, New England historian Octavius Brooks Frothingham wrote in 1876, was imbedded in the "native soil" of Boston's reformers through the lineage of transcendentalist thought.[40] The origin of this influence, Frothingham attested, was Immanuel Kant's *Critique of Pure Reason,* which posited time and space as forms of "pure intuition" prior to all sensory experience.[41] For Sumner and other Bostonians, this meant targeting social reforms as nearly as possible to this pure intuition of space and time.

To change a person, the reformer had to cultivate formative experiences that could align the child, lunatic, or deviant along a renewed trajectory. As Mann explained in an 1839 lecture, shaping the experiential context of a child had implications rippling across the rest of their lives—and through eternity. "[F]ollowing the most rigid connection and dependence of cause and effect, of antecedent and consequence, we shall find that education is intimately related to every good, and to every evil, which, as mortal, or as immortal beings, we can desire or dread."[42] Faced by a nation of laggards and global competition, Mann extoled the school as the only institutional space that could bring all of society into proper alignment. Implemented at scale, education had the potential to correct the lulls and plateaus in the march of progress—in Helga Nowotny's words, "to make up the delay of reason… [by] speeding up proceedings."[43]

In the spring of 1844, Mann's anxieties about temporal delay triggered a major school reform controversy that attracted Sumner as an ally. Mann had recently returned from a tour of European school systems to "compare our own condition with the contemporaneous condition of other great families of mankind."[44] He embraced a modernistic notion of nations as isolated entities racing toward progress, ahead or behind in what Massey calls a "temporal queue."[45] In his ensuing *Annual Report,* Mann expressed his alarm that Massachusetts had fallen from its place at the front of this queue. The Puritan Founders of the Massachusetts Bay, Mann recalled, arrived in America with intelligence and a commitment to diffuse it. With the benefit of "three thousand miles" from the inequities and oppressions of Europe, the colony had a head start—"a gain to humanity of at least a thousand years."[46] But now, Europe, and especially Prussia, had caught up, embracing pedagogic innovations and compulsory education laws that

Americans had not. Feeling “more humiliation than pride,” Mann feared his state had lost a “vantage-ground of a thousand years.”[47] Capturing his fellow citizens’ complacency in a chronotopic classroom, Mann contrasted the lively spaces of European schools to the inactivity he witnessed in Massachusetts classrooms. In his home country, Mann observed, teachers stood “immovably fixed to one spot” and pupils were “hybernating animals… resting motionless in their seats.”[48] To motivate progress, the classroom needed to itself be an animated space, one in which the knowing teacher enticed children’s understanding.

Four years earlier, Sumner had returned from his own trip through Europe similarly convinced that “[w]e must raise the standard of education at home.”[49] Reading Mann’s report that March, he fretted that his contemporaries had betrayed “those forefathers, who trusted that learning might not be buried in their graves.”[50] Echoing Mann’s fears, he penned an editorial in the *Boston Advertiser*, decrying that:

> It appears that the system of public schools in Prussia is BETTER than that in Massachusetts, and that an absolute monarch, governing without a constitution, in the benignity of his rule, has done more for the education of his subjects, than our Commonwealth, with all its inherited obligations, has done for its citizens. We have, then, lost the *front place,* transmitted to us.[51]

Similarly committed to the concept of a race among nations, Sumner hoped that Mann’s report could help “break the spell of self-complacency, which restrains national improvement, as the chain of a tyrant.”[52] This hope quickly faded as thirty-one Boston schoolmasters, disgruntled by Mann’s constant state-sanctioned critiques, published a lengthy rebuke to the report, triggering a protracted argument over curriculum.[53] To

Mann, the schoolmasters' argument demonstrated the recalcitrance of Boston's educational establishment, who sought "to arrest and *petrify*" the constant improvement of pedagogy.[54] Recognizing schoolmasters' resistance to persuasion, Mann sought a political transformation. Collaborating with Samuel Gridley Howe, a noted teacher of the blind, Mann aimed in upcoming municipal elections to replace a majority of the city's School Committee with like-minded supporters.[55] With the encouragement of Mann and Howe, Sumner began a campaign for the School Committee seat in Boston's Ward Four.

To support Mann's reforms, Sumner advocated a set of pedagogical assumptions that presumed temporal inequalities mediated through schooling. For all Mann's proselytizing on the risks of faction and division in a democratic society, he exerted tremendous confidence that divides between the unlearned and learned would not produce social turmoil. He argued that the common school, attended by rich and poor alike, would teach students the "inborn equality" of all men—then impose a new hierarchy of "'higher' and 'lower'" status based on the acquisition of intellect.[56] Implicit in Mann's sorting mechanism was what Rancière calls the logic of "explication," which assumed a temporal "distance between the taught material and the person being instructed."[57] Under the pretense of closing that distance, the teacher, as explicator, would lead students through "an indefinite process of coming closer," but never actually attaining, equal knowledge.[58]

Sumner's program of education reform, like Mann's, focused on improving the teachers, whose knowledge would necessarily precede that of the students. In Prussia, he argued, a "beneficent order of men… was moulding the character of [the] people, and carrying them forward in a career of civilization more rapidly than any other people in

the world are now advancing."[59] He urged his fellow-citizens to follow Prussia's lead, building teacher seminaries across the state.[60] Likewise, Sumner accepted Mann's model of pedagogic reform predicated on an incremental accumulation of knowledge. Mann and his supporters hoped to standardize Boston's myriad educational approaches through regular teacher evaluations and standardized written exams.[61] Committed to the same reforms, Sumner conceptualized education as a linear progression, from the earliest grades to the classical education provided by colleges. To reject classical education for vocational training, he insisted, would be "to remove the higher steps of the Heavenly ladder, on which angels are ascending and descending."[62] The explicators stood somewhere between the students and the angels, the arbiters of knowledge.

Sumner lost his bid to represent Ward Four on the School Committee, and soon became invested in national politics. In the process, education became his way of evaluating America's standing in the great race of progress against other nations. In 1845, the Boston City Council selected Sumner to deliver the city's Fourth of July oration, a rite of passage for emerging public figures. Like Mann in 1842, Sumner opted to break tradition and deliver an admonitory address. Unlike Mann, whose plea for education drew praise, Sumner stunned his audience at the Tremont Temple with a stern denunciation of war agitation in Texas and the Oregon Territory.[63] The motive to start war against Mexico or British-controlled Canada, he argued, reflected a primitive conception of humanity's place in history.[64] "[W]e are advanced from the childhood of man," he continued, and "reason and the kindlier virtues of the age, repudiating and abhorring force, now bear sway."[65] Throughout the speech, he juxtaposed educational institutions against their military counterparts, connecting the nation's trajectory in time to its

willingness to promote public schools. He lamented that the expenses provided for "Institutions of learning and beneficence, the precious jewels of the Commonwealth," were a pittance "compared with the treasures squandered within the borders of Massachusetts in vain preparations for war."[66] National pride, he argued, should not stem from the patriotism of warmongers, but from "*moral elevation, sustained, enlightened and decorated by the intellect of man.*"[67] Sumner projected this future-polity through the institutions of education. "Our battlements shall be schools, hospitals, colleges and churches; our arsenals shall be libraries; … our army shall be the teachers of youth, and the ministers of religion."[68] The nation, fully realized, would be an educated community.

Extending this logic from nations to individuals, Sumner advanced education as a way of cultivating each person's orientation toward time. Speaking to the Phi Beta Kappa Society of Union College in 1848, Sumner described the inevitability of progress—and challenged those who did not recognize it. Some people, he observed, knew "the unimaginable immensity of duration which seems to await the globe," and pursued causes of reform knowing they would eventually come to fruition.[69] Too many, however, clung to a conservatism that "deprecates every change, and in disregard of the *transitory* condition of all that proceeds from the hands of man, blindly prays for the *perpetuity* of existing institutions."[70] This stubbornness, he insisted, grew more severe with age. Equating the South with stubbornness, he jested that "the age of forty was a dividing line of life—a Mason and Dixon's line!—determining the capacity to receive [the] truth."[71] Ostensibly, Sumner posited citizens as occupying different perspectives toward time that shaped the wisdom, or ignorance, of their political sentiments. The conservatives that rejected Sumner's programs of social reform were locked in an orientation toward the

past and present—and thus, in Loehwing's words, were "unable to occupy the future-oriented perspective that transforms isolated individuals into communally minded democratic citizens."[72] Importantly, public schools provided the means of negotiating these citizens' orientations toward time. "Men grow and are trained in knowledge and in virtue," Sumner explained, "but they cannot be compelled into this path."[73] Rather, the shaping of their environment would dictate their trajectory through time: "Even the idiot, so abject in condition, is at last found within the sphere of education. Circumstances alone are required to call this capacity into action; and in proportion as knowledge, virtue, and religion prevail in a community, will that sacred atmosphere be diffused."[74]

To this point, Sumner had defined the space of the school primarily in terms of the knowledge acquired there. While in 1844 he recognized the "relation of harmony and affection… between the teacher and pupils" as pedagogically important, ultimately the walled demarcation of enlightened space, helmed by the explicator, dictated the progress of pupils therein.[75] But as his support for abolitionism and civil rights strengthened, Sumner more frequently described educational space in terms of the interactions of pupils—what Massey calls the "practices of relationality" that produce co-imbrications of space and time.[76] The impetus for this relational emphasis came from Sumner's opposition to school segregation, which he exerted as the lead attorney for the plaintiffs in the 1849 case of *Sarah Roberts v. City of Boston.* In this case, Sumner provided the legal defense for Sarah Roberts, a black student of the Abiel Smith School denied access to a white-only school nearer her home. Black petitioners sought to abolish the school, reallocating students to integrated schools throughout the city.[77]

The challenge for Sumner, and the impetus for his reconceptualization of educational space, was the Committee's cooptation of the language of educational progress based on explication. Praising the Smith School for cultivating "the higher order of intelligence displayed by them who it was designed to benefit," the Committee invoked an early formulation of the "separate but equal" doctrine.[78] Segregated schools with "like means and facilities of education," the Committee asserted, sufficiently met the demands of "equal" education.[79] Key to the Committee's vision—as to Sumner's in 1844—was a model of education as accumulation, of knowledge as a procession along a linear chain. Just like two nations, two schools could also move in parallel lines toward progress without so much as engaging each other. So long as students had the opportunity to advance on that same trajectory, the committee implied, it did not matter who they learned beside.

To contest the Committee, Sumner altered his account of the chronotopic classroom to treat temporal progress as attained through the interaction of students co-creating space and time. He depicted the school as what Bakhtin calls a "motif of meeting," a chronotope in which "spatial and temporal paths of the most varied people… intersect at one spatial and temporal point."[80] This relational convergence, Sumner insisted, was the whole point of education. "[A] school exclusively devoted to one class," Sumner explained, "must differ essentially in spirit and character from the Common School known to the law, where all classes meet together in Equality."[81] Breaking from the explication-centric vision of education so easily coopted by the Committee, he posited the relationship among students as necessary to the school's function:

> It is a narrow perception of [the common schools'] aim, which teaches that they are merely to furnish an equal amount of knowledge to all, and, therefore, provided all be taught, it is of little consequence where, and in what company. The law contemplates not only that all shall be taught, but that *all* shall be taught *together.* They are not only to receive equal quantities of knowledge, but all are to receive it in the same way. All are to approach the same common fountain together; nor can there be any exclusive source for any individual or class.[82]

In the motif of meeting, Bakhtin writes, people of various orientations converge, and "the spatial and temporal series defining human fates and lives combine with one another in distinctive ways."[83] Adopting this chronotope, Sumner argued that the school could not move students swiftly toward progress without "the unity and solidarity of all classes beneath its roof."[84] Compressing social space in the classroom, Sumner added, "The school is the little world where the child is trained for the larger world of life. It is the microcosm preparatory to the macrocosm, and, therefore, it must cherish and develop the virtues and sympathies needed in the larger world."[85]

In his appeal to the Massachusetts Supreme Court, Sumner established urgency by collapsing the qualitative time of students' development into the urgent demand facing the Court. When rhetorical scholars talk about *kairos,* they often discuss it as a way of breaking through the ordinariness of chronological time.[86] In this case, though, the urgency of the moment came from the whole duration of children's development, which Sumner had imbued with a deep, qualitative value. He set two visions of qualitative duration against each other. In the first, he projected the long-term consequences of continued segregation. Black students would continue to internalize the inferiorities of

America's caste system. White students, too, "[n]ursed in the sentiment of Caste," would perpetuate the prejudices of their parents. "Hearts while yet tender with childhood," Sumner lamented, "are hardened and ever afterward testify to this legalized uncharitableness."[87]

Alternatively, an integrated common school would begin students' education in equality early, getting beneath the prejudices of the previous generation. "[A]t the feet of the teacher, innocent childhood should come, unconscious of all distinctions from birth."[88] By chaining out educational implications over children's entire lives, Sumner's invitation to temporal imagination cultivated an urgency for immediate action. Crucially, and differently from most rhetorical productions of *kairos,* Sumner's appeal did not depend upon the exegetical qualities he identified in his particular moment.[89] The potential to shape the qualitative duration of *chronos* rendered *all* time *kairotic.* The prejudices and progress of the next generation were always already in formation, so integrated education would always be urgent.

As the 1840s drew to a close, Sumner's vision of education was volatile with a set of competing commitments to equality. In *Roberts v. Boston,* Sumner still harbored a belief in temporal inequalities between the teacher and student, supporting schools' right to separate students based on "age, sex, and fitness, moral and intellectual."[90] He never let go of the transcendentalist view of human progress, which at its core assumed temporal distance. Nonetheless, the conception of education he espoused in the case deemphasized the accumulation of knowledge. It focused instead on the equidistance of students from the "feet of the teacher," or from the "common fountain" of knowledge. He embraced a more emancipatory concept of pedagogy, one predicated, as Rancière writes,

on the setting of common objects of inquiry "between two minds" to emphasize their inborn equality.[91]

As Sumner became more emancipatory in his view of education, he also grew more frustrated toward Mann, who he criticized for his reluctance to join the Free Soil Party and for his gradualism on issues of civil rights and abolition.[92] While Mann had espoused the idea of integration among different classes and religious groups, black community members in Massachusetts were exasperated by his refusal to publicly endorse racial integration.[93] Following the implications of Mann's reasoning to their most controversial conclusion, it would be Sumner who carried his integrationist logic to race, and, in time, to a program of national reconstruction. Sumner's schism with Mann reflected the competing spatiotemporal logics in the program of common school reform both supported in 1844. Two decades later, Sumner's educational vision would hold vestiges of both logics: the republican vision of the school as a sorter of virtue and ignorance, and the egalitarian vision of the school as a projection of progress produced through the interaction of equals. The vacillations in his advocacy would foreshadow assumptions about education and visions of reform that still persist in American life.

Vacillating Tenses of Equality: Sumner's Educational Advocacy, 1865-1872

"The custom so prevalent at the West and South, of *stump-speaking,*" Horace Mann argued in 1842, "had its origin in the voters' incapacity to read. How otherwise can a candidate for office communicate with ignorant voters?"[94] While Mann spoke in the genteel idiom of Boston politics, one of the "stump speakers" he feared spoke in a less couth idiom a thousand miles away in Nashville. Born to illiterate parents, and illiterate himself until at least age 17, in 1842 Andrew Johnson was a member of the Tennessee

Senate, a politician rising on the strength of his off-the-cuff oratory and populist appeals.[95] Although he showed some support for tax-supported education as Governor of Tennessee, the notion of a nation held together through education and enlightenment was a foreign idea to Johnson.[96] When Johnson assumed the presidency in 1865, education was one of many ideas dear to Sumner that he opposed. He spent the summer and fall of that year implementing a policy of rapid restoration that, in the view of bewildered radical Republicans, risked squandering the opportunities provided by the outcome of the Civil War. By appointing South-friendly military governors, pardoning thousands of ex-Confederates, and ignoring states' efforts to reinstate *de facto* slavery, Johnson quickly alienated Sumner's assertive faction.[97] On December 2, 1865, two days before the beginning of the 39th Congress, Sumner expressed his "painful conviction… that by the assassination of Abraham Lincoln the Rebellion had vaulted into the Presidential chair."[98] When Congress resumed, Sumner and similarly concerned legislators set about seizing jurisdiction over the South from the hands of the president.

Raised in vastly different regional cultures, Johnson and Sumner arrived at opposing philosophies on how to best reunite the country. Reunification, for Johnson, was a question of legal formality, a resumption of Constitutional relations only temporarily suspended by war. With the passage of the 13th Amendment, Johnson insisted, "it would remain for the states whose powers have been so long in abeyance to resume their places in the two branches of the National Legislature, and thereby complete the work of restoration."[99] Conversely, Sumner contended that the South's governments had committed "State suicide," becoming "senseless communities who have sacrificed that corporate existence which makes them living, component members of our Union of

States."[100] The only relevant power in those emptied states, he insisted, was that of the federal government, which had the legal right to set conditions for the creation of new state constitutions.

More fundamentally, Sumner viewed the problem of Reconstruction as a question of social imagination. The Civil War, he argued, was rooted in how white Southerners imagined their relationships to Northerners, to former slaves, and to each other. Sumner saw the federal government's postwar duty as one of reestablishing Southern political community with a different set of tacit assumptions about civic participation and social hierarchy. At the dawn of Reconstruction, as in Boston two decades before, the problem of national cohesion depended on citizens' trajectory toward his vision of progress. To this end, Sumner prescribed "the *Education of the people*" as a crucial plank of Reconstruction, necessary "to the development of those principles of justice and morality which constitute the only sure foundation of a 'republican government.'"[101]

In justifying education as an element of republican government, Sumner reintroduced the tension of potential versus present inequality into his rhetoric. Faced by the challenge of justifying an expansion of federal control in the South, Sumner turned to Article IV, Section IV of the Constitution: "The United States shall guarantee to every state in this union a republican form of government."[102] Sumner regarded the Guarantee Clause as a "sleeping giant" of the Constitution. He reasoned that the founders incorporated that provision as a bulwark against the inegalitarian, rebellious attitudes that begat the Civil War. In this interpretation, the postbellum Congress had the power to tinker with Southern institutions to produce a more virtuous citizenry.[103] Whereas Sumner's rhetoric of civil rights and "Equality before the Law" presumed a linear

development of progress, his theory of republican government entailed a cyclical view of politics perpetually on guard against the forces of corruption and decay.[104] Like Mann's arguments in the 1840s, Sumner's republican justification for schooling posited it as a source of civic renewal. It could elevate cohorts of citizens competent to protect society from the unqualified masses.[105] As Rancière writes, republicanism's "principle [was] not written law, which is the same for everyone, but education, which endows each person and each class with the virtue proper to their place and function."[106] Invoked to stress the short-term disqualification of former rebels from civic participation, the republican assumption brought a logic of deferral into Sumner's rhetoric. It opened him to accusations of aspiring to grant equal rights to unequal people—people not unequal by race, but by learning. Not unequal by nature, but in time.

Opponents found the alleged contradiction in Sumner's disparate policies toward ex-rebels and ex-slaves, each predicated on different educational assumptions. On the one hand, Sumner aimed to disenfranchise ex-rebels because they lacked education in the principles of republican government. As he argued in his agenda-setting September 1865 speech to the Republican state Convention in Worcester, Massachusetts, Reconstruction demanded a long-term deferral of Southern readmission until the time of social reform could run its course.[107] Decrying Johnson's lenient policy to allow former Confederates to participate in politics by simply taking an oath, Sumner scoffed: "character is not changed in a day, and that 'Southern heart,' which was 'fired' against the union, still preserves its vindictive violence."[108] On the other hand, Sumner recognized the vastly different material circumstances faced by whites and blacks in the postwar South, and the necessity of blacks' political power to their own safety and interests. He also feared the

existential threat to the Union—and the Republican Party—if the Democratic planter class resumed control of the South. Despite his qualms about blacks' lack of education in the principles of republican government, he nonetheless fought for immediate voting rights. "Without this security," he warned, "Emancipation is illusory."[109]

Sumner did not see his different standards toward white ex-rebels and black freedpeople as a contradiction. But his opponents, representing a Northern white polity still opposed to black suffrage, saw this as a wedge in his argument. William Pitt Fessenden, Sumner's chief moderate rival in the Republican Party, doubted that those "who have been kept in ignorance all their lives, oppressed, more or less forbidden to acquire information, are fit at this day to exercise the right of suffrage."[110] In Massachusetts, Sumner's constituents could not reconcile their opposition to illiterate immigrants voting with their Senator's efforts to enfranchise illiterate freedpeople.[111] Sumner collapsed educational duration into a single moment to justify the delayed readmission of former rebels. The same temporal compression rendered the immediate bestowal of black political rights *akairotic* to his opponents.

Struggling amid the exigencies of rebuilding a nation after war, Sumner would vacillate for the next seven years between his republican vision of Reconstruction and a radical rationale for empowering former slaves politically. Reconfiguring the repertoire of education policy rhetorics he cultivated in Boston, Sumner found himself shifting between two conceptions of temporality with conflicting pedagogic implications. To trace this vacillation, I examine Sumner's educational appeals over the course of four Senate debates concerned with shaping the South's postbellum polity. Along the way, I argue, Sumner dissolved the walls of his imagined classroom to defend black voting

rights, then resurrected those walls as a means of infiltrating the time and space of Southern white recalcitrance. He conceptualized the force of education as acting outward upon society, yet immune to the guiles of politics except by its destruction. He compressed a future vision of the nation into a moment, and then used the same imaginative argument to envision educational change as instantaneous. And, when amnesty for ex-Confederates appeared as an inevitability, Sumner turned to the relational logic of integration to project a vision of a less prejudiced polity into the future. Through these vacillations, I argue, Sumner grappled with the capacity and consequences of education as a rhetoric of social reform. In his wake, the animating notion of a civil community separated temporally by educational inequalities persisted, becoming enfolded in the taken-for-granted assumptions many Americans would rely upon to imagine their place in a national community.

The Ballot as Emancipatory Pedagogy, 1866

Ironically, Sumner's greatest departure from the republican assumption of pedagogic delay came in a speech that, from start to finish, attempted to fix the meaning of a "republican government." This vacillation toward an emancipatory rhetoric occurred in February of 1866, when Congress grappled with a peculiar consequence of the North's Civil War victory. With the abolition of slavery and the dissolution of the Constitution's three-fifths compromise, the South was poised to rejoin the Union with greater political representation than when it seceded. To rectify this problem, on January 20 the Joint Committee on Reconstruction proposed an early version of the 14th Amendment that would ensure "that, whenever the elective franchise shall be denied or abridged in any State on account of race, creed, or color, all persons of such race, creed or color, shall be

excluded from the basis of representation."[112] Sumner, who had been blocked from joining the Joint Committee, was incensed by the proposal. Though it addressed the problem of Southern representation, it did so by cynically anticipating the disenfranchisement of that region's black citizens. It also said nothing about disenfranchisement based on illiteracy, which Sumner saw as a significant loophole.[113] In a several hour speech that spanned most of the Senate's time on February 5 and 6, 1866, Sumner delivered an aggressive denunciation of the proposed amendment. As Kirt H. Wilson correctly argues, the speech captured Sumner's transcendentalist commitment to higher forms of human rights against the accomodationist prudence of his congressional colleagues.[114] But, I contend, it also elucidated Sumner's struggle to alleviate the temporal dissonance between the present-equality assumed by enfranchisement and the future-equality assumed by the republican logic of education. By redefining republicanism and education alike, Sumner's 1866 speech gravitated toward an emancipatory pedagogy grounded in present-tense equality.

The majority of Sumner's address aimed to justify his sweeping interpretation of the Guarantee Clause, with significant implications for his theory of education. Before the war, the prominent Democratic and Southern reading of the Guarantee Clause regarded it strictly as empowering a federal response to factional usurpation, insurrections, or slave rebellions. In this definition, William M. Wiecek writes, "a republican form of government [was] one in which the people govern themselves, in the limited sense that some part of the state's residents exercise some choice in deciding who the elective officials of government shall be."[115] In Sumner's view, this position reflected a narrow understanding of "republicanism," one disproportionately drawn from classical

and European definitions that could just as easily encompass an aristocracy or oligarchy like the planter class of the antebellum South. Scouring the words and deeds of the founders, Sumner instead provided a uniquely "American definition of a Republican form of government," one rooted in the Declaration of Independence: "first, that all men are Equal in rights; and secondly, that Governments derive their just powers from the consent of the governed."[116] Based on this definition, Sumner argued, the Constitution demanded that "all the citizens have an *equal voice* in government," materialized in the ballot.[117] Whereas Horace Mann had accepted the republican basis of schools as drawing necessary distinctions between the learned and unlearned, here Sumner embraced a conception of republicanism that, followed to its logical conclusion, would eschew inequalities based on temporal distance. Illustratively, Sumner rejected the republican theory of Montesquieu, which eighteenth-century and antebellum school reformers often cited as a grounds for education's importance in a republic.[118] Sumner shared the philosopher's view that "virtue" needed to be taught in a republic, but rejected the notion any government ruled by an aristocracy could be "republican"—even if that aristocracy was determined by its education.[119]

In this speech, Sumner's conception of republicanism prioritized political equality over any other idea, largely departing from the concept's cyclical tradition. Following the implications of this priority, he issued a major caveat to the notion of educational delay as a rationale for civic exclusion. He did not deny that certain "surmountable" qualifications could be placed upon the polity, and that "Education… may, under certain circumstances, be a requirement of prudence, especially valuable in a Republic, where so much depends on the intelligence of the people."[120] But, he then qualified, this logic only applied when a

person *had access to* education.[121] As regarded the freedperson, Sumner explained, "His claim is exceptional, as your injustice is exceptional. For generations you have shut him out from all education, making it a crime to teach him to read for himself the Book of Life. Let not the tyranny of the past be an apology for further exclusion."[122] In this situation, Sumner discarded his common school movement anxiety about unprepared citizens slowing national progress or electing demagogues. The important question was not whether a person possessed more or less education in the present. Acknowledging that most uneducated freedpeople were already adults, Sumner privileged the question of whether the *opportunity* for education was open to all from birth. To borrow a phrase from T.H. Marshall, Sumner posited education "as the right of the adult citizen to have been educated"—a right that slaves had been denied, but that ex-rebels (at least legally) had not.[123] The republican principle of education as a civic prerequisite was, in turn, nullified in this circumstance, albeit not in all cases.

More radically, Sumner provided an account of education that severed the republican logic of temporal deferral altogether from the activity of learning. Dissociating the concept of "education" from formal schooling, Sumner posited the ballot for former slaves as what Rancière calls a "totality," "a center to which one can attach everything new one learns."[124] In this argument, the ballot was not the end-result of an educational process, or a vaunted privilege bestowed upon those deemed "worthy" by a more knowledgeable teacher. Instead, Sumner insisted, "The ballot is a *schoolmaster*."

> Reading and writing are of inestimable value, but the ballot teaches what these cannot teach. It teaches manhood. Especially is it important to a race whose manhood has been denied. … The freedman already knows his friends by the

> unerring instinct of the heart. Give him the ballot, and he will be educated into the principles of government. Deny him the ballot, and he will continue an alien in knowledge as in rights.[125]

As in Rancière's description of emancipatory pedagogy, Sumner's argument "suppressed the imaginary distance that is the principle of pedagogical stultification."[126] In invoking the "unerring instinct of the heart," Sumner embraced the intuitive capacity of learning that all former slaves had practiced in their acquisition of language, of skills, of culture, even under the barbarism of slavery.[127] This argument viewed education not as a means of placing former slaves on a path toward an ever-receding horizon of knowledge, but as the challenge of "reveal[ing] an intelligence to itself."[128] Offered a task, a puzzle, and faith in one's ability to teach oneself, explication would not be necessary.[129] For a brief moment, the walls of the classroom dissolved in Sumner's argument. What remained were the relations of bodies in space and time, the motif of meeting, the gathering of equal minds confronted by the task of participating in a democracy. But Sumner's embrace of this emancipatory vision was short-lived. Faced with the demands of reconstructing the South, he would soon rearticulate the logic of deferral, applying it to ex-rebels and ex-slaves alike.

Taming "Political Monsters," 1867

As the 1st Session of the 39th Congress drew to a close in July of 1866, Sumner wrote exasperatedly of "the imbecility of Congress, which shrank from a contest on principle."[130] The events of the rest of the year vindicated his assessment, underscoring the limitations of moderate Republicans' approach to rebuilding governments in the rebel states. Violence abounded across the region, as white terrorism and rioting in Memphis

and New Orleans took the lives of hundreds of black citizens.[131] In open defiance of the Northern war victory, the Johnson-approved legislatures of states like Virginia chose hostile secessionists for the United States Senate. Led by staunch anti-Unionists, every Southern state but Tennessee rejected the 14th Amendment before the year's end.[132] Reacting to these events, Northern voters turned against recalcitrant white ex-rebels and began to favor voting rights for freedpeople, albeit only within the South.[133] Winning a resounding victory in the 1866 midterm elections, radicals pursued a more stringent policy toward the South beginning in January. In the ensuing debates over four Reconstruction Acts, Congress grappled directly with the question of rebuilding political culture in the South. Moderate Republicans like John Sherman of Ohio and Lyman Trumbull of Illinois focused on ensuring fair state Constitutional Conventions that excluded some rebels and included black participants. If legislatures enacted under these constitutions ratified the Fourteenth Amendment, moderates thought, those states could return to federal representation.[134] Objecting to this proposal, Sumner successfully fought to guarantee black voting rights as a part of Southern constitutions.[135] But his objections went much deeper, targeting the rebellion at its temporal root in childhood.

For Sumner, former rebels lacked taken-for-granted assumptions about political community that would make an egalitarian, fair, and just democracy possible.[136] Setting new constitutions atop rebellious populations without first developing appropriate civic norms and practices would, for Sumner, have been utterly insufficient. To this end, he insisted that Congress had the responsibility to craft new governments in the South and "lay down the true foundations of loyalty" therein.[137] When the 40th Congress convened on March 4, 1867, Sumner targeted the South's social imaginary in a set of resolutions.

One defined education as "essential… to the development of those principles of justice and morality which constitute the foundation of republican government."[138] Vacillating away from the concept of the "ballot as schoolmaster," Sumner now assumed education as a determiner of inequalities. Like Mann before him, he decried that "an immense proportion of the people in the rebel States, without distinction of color, cannot read and write."[139] Literacy, as fostered by public schools, would be necessary for truly republican governments. Now that the ballot was secured to Southern blacks, he turned away from radically privileging enfranchisement over education. "It will not be enough for you to give universal suffrage," he now insisted; "you must give the essential complement to universal suffrage, universal education also."[140] The Senate voted to support Sumner's resolutions in principle, but did not support his thorough bill to enact them as policy on March 6.[141] Ten days later, when Sumner chose one part of the bill to ask the Senate to salvage, he chose the schools: "I plead now for Education."[142]

Late in the evening on March 16, as the Senate neared a vote on a second Reconstruction Act concerning regulations on Constitutional Conventions in the South, Sumner blindsided his colleagues with a provocative amendment: "That the constitution [of a readmitted Southern state] shall require the Legislature to establish and sustain a system of public schools open to all, without distinction of race or color."[143] To advance his proposal, he depicted the school as a space that could intervene in the South's prejudicial culture, aligning the region with the New England trajectory toward progress.[144] Without proper education, Sumner argued that Southerners lacked the future-oriented tense of Northern citizenship. They were aimless in space, and thus stagnant in time—"political monsters," "moving blindly, with no just sense of the present or

future."[145] These qualities of aimlessness acted as what Bakhtin calls "indices" of the Southerners' overall spatiotemporal trajectory.[146] "You may exclude rebels" from participating in the creation of new governments in the present, Sumner explained, "but their children, who are not excluded, have inherited the rebel spirit."[147] Only an educational intervention could slowly but surely reorient this population toward new, purposive ways of imagining community and participating in politics. "Education decorates life, while it increases all our powers," he said, stressing its import to community, commerce, and morality.[148] By mandating public schools in the South, "permanent governments might be matured on safe foundations and the people educated to a better order of things."[149]

The school provided Sumner a way of prying beneath the different temporal cultures of the American states to reorient Southerners' attitudes, myths, and beliefs. Bypassing the formalistic conflicts of federalism, it would reconfigure the substantive modes of judgment among Southerners. To make this case, Sumner compressed the entire history of the North and South into two parallel lines of development. The "contrast between the rebel States and the loyal States appeared early," he implored, in the two regions' disparate commitments to the diffusion of intelligence. Upon its incorporation as a colony, Massachusetts embraced a statute for free public education to ensure, as its preamble read, "That learning may not be buried in the grave of our fathers."[150] "At the same time," Sumner continued, "Virginia set herself openly against free schools." In 1671, the Colonial Governor Sir William Berkeley implored to English officials, "I thank God *there are no free schools* nor printing, and I hope we shall not have these hundred years; for learning has brought disobedience and heresy and sects into the world, and

printing has divulged them. God keep us from both."[151] Having witnessed the bloody consequences of these two educational visions, Sumner asked, how could the Senate "hesitate to adopt that statute which is so well justified by time?"[152] Like Mann before him, Sumner treated the North and South as occupying different places in a temporal queue, as determined by their commitments to schooling. Had the South embraced education in the beginning, he speculated, an expansive, nationally-coherent social imaginary would have formed. "It is not too much to say that had these States been more enlightened they would never have rebelled. The Barbarism of Slavery would have shrunk into insignificance, without sufficient force to break forth in blood."[153]

But in recapitulating the notion of nations and individuals separated in time by education, Sumner complicated his support for universal voting rights regardless of race. Now that enfranchisement had been granted to blacks throughout the South, his position changed regarding the need to educate Southern blacks for republican civic participation. "I was unwilling to make education the condition of suffrage," he clarified, "but I ask that it shall accompany and sustain the suffrage."[154] Problematically, returning to the argument for formal education as a necessary accompaniment to civic participation had the consequence of establishing schooling as a prerequisite. The ballot may have been a schoolmaster, but it did not eliminate the need for an actual schoolmaster:

> You have prescribed universal suffrage. Prescribe now universal education. The power of Congress is the same in one case as in the other. And you are now under an equal necessity to exercise it. Votes by the hundred thousand will exercise the elective franchise for the first time, without delay or preparation. They should be educated promptly.[155]

The vacillation in Sumner's position was encapsulated in the oxymoron "educated promptly." Through the conflation of *chronos* into *kairos*, it was possible for Sumner to discursively demand educated citizenship *and* compress the lengthy process of education into the few short months before freedpeople cast their ballots. But, as the rest of his speech made clear, in execution Sumner imagined schooling as a drawn-out process of maturation and inculcation, of fundamentally altering people's practices of civic life.

Amid efforts to slow the South's return to statehood, the logic of deferral proffered by education was too important to set aside. Senator George H. Williams of Oregon asked Sumner if "this proposition mean[s] that each school shall be equally open to persons without distinction of race or color… that each and every school shall be open to children of both races?"[156] Sumner seldom hedged on the principle of integration in any context, let alone regarding education. But here, confronted with the task of reimagining the South's entire political culture, he privileged the logic of delay over his relational vision of integration. "If I should have it my way, according to the true principle, it would be that the schools, precisely like the ballot-box or the rail cars, should be open to all," he said. "But the proposition is necessarily general in character; it does not go into details." It merely demanded free schools as a requirement of new Southern constitutions, whether integrated or segregated.[157] Biographer David Herbert Donald regards this hedge as a moment of pragmatism on Sumner's part, a willingness to accept schools in the short term to promote integration in the long term. Curiously, though, he chastises Sumner for being an unrelenting moralist who refused to engage in pragmatic compromise, particularly at this moment in his Senate career.[158] A better explanation, I argue, is that Sumner's rhetoric relied upon two opposed conceptions of temporality. The

first emphasized a linear path toward the accumulation of intelligence; the second stressed the relational coproduction of progress by diverse bodies. Both of these concepts undergirded essential aspects of Sumner's policy toward the South, but they could not be reconciled. "A moral principle cannot be compromised," Sumner had said in 1865.[159] But his educational rhetoric relied on two disparate moral principles, two different conceptions of equality, that he struggled to sustain at the same time.

"Education is Dangerous to Tyranny," 1870

Sumner's calls for education did not gain traction in 1867. In a tie vote, the Senate rejected his educational amendment.[160] In July, when Sumner proposed a similar amendment to the Third Reconstruction Act, fellow Senators resoundingly voted that he was "out of order."[161] Even fellow Massachusetts radical Henry Wilson accused Sumner of melodrama. Southerners "of all parties are unanimous for" public schools, anyway, Wilson argued; "you might just as well require that they shall plant corn and cotton."[162] Once again, time vindicated Sumner. As white supremacist "redeemer" governments gained control of several Southern states, they systematically suppressed black civil and voting rights. The Ku Klux Klan brazenly murdered freedpeople and Republican political leaders. And, though most new Southern Constitutions included educational provisions, those states' commitments were tenuous at best. In 1869, Democratic redeemers regained control of Tennessee and promptly eliminated statewide education laws, completely dismantling most educational opportunities for black students in the process.[163] With Tennessee as a catalyst, Sumner recognized another chance to press for education as a mandatory condition for the remaining unadmitted Southern states.

To this end, on January 10, 1870, Sumner challenged a Joint Resolution to readmit Virginia to federal representation.[164] Other Senators protested that Sumner had singled out the "mother of States and of Presidents" for unfair treatment.[165] But for Sumner, who recognized the source of the Civil War centuries ago in the words of Sir William Berkeley, Virginia still needed to be inaugurated into the temporal culture of the Puritan fathers. "It belongs to the pride and the glory of [New England] that it has given to this Republic its system of common schools," Sumner told the Senate. Sumner feared that the Virginia Constitution's "effort… to plant that generous, beneficent system in Virginia" would be thwarted by Democratic leadership who would eliminate schools.[166]

Sumner's critique targeted Gilbert Carlton Walker, who had just been elected Governor by a largely Democratic coalition hoping to, in Sumner's words, "nullify the proposed constitution and trample out the system of free schools in Virginia."[167] Closely reading a Walker campaign speech, Sumner recognized a reincarnation of Berkeley's hateful disposition toward free schools. Sumner cited Walker's promise to voters that, if they supported his ticket, "you may proceed at once to propose such amendments to the constitution as will clear it of all its dangerous characteristics." Later in the speech, Sumner quoted, Walker clarified what he meant by "dangerous characteristics": "that foul refuse which the North has, as it were, vomited over our country to distract and devour it."[168] Based on these passages, Sumner pleaded with Congress:

> …this person chosen Governor by Virginia pledges himself in advance to break down the proposed system of public schools. What greater atrocity at this moment can be proposed? How can you organize reconstruction except on the everlasting foundation of education?[169]

To defend against this atrocity, Sumner posited his most idealistic expression of the instrumental force of the common school in shaping the temporal consciousness of those around it. In 1867, Sumner had suggested that "The schools and colleges of the South have been nurseries of rebellion."[170] Now, he departed from this position, proffering the school as an inherently idealized space that could not be twisted to teach inegalitarian ideas. The only policy for despots and oligarchs would be to destroy schools altogether. "Ay, sir, knowledge is dangerous to tyranny; knowledge is dangerous to slavery; knowledge is dangerous to wrong and injustice." Well aware of this, Sumner speculated, Walker was "afraid to see a system of public schools established in Virginia."[171]

In 1870, then, Sumner recommitted to a view of the school as a space aligned with an Enlightenment vision of human progress. Part of a guarantee of long-term safety, a way "to surround all my fellow-citizens in that State with an impenetrable aegis," the school could not indoctrinate students into a rebel spirit.[172] The inegalitarian principles undergirding slavery and secession were incompatible with learning in *any* form. The school could move people forward toward progress; its absence, backwards toward barbarism. In doubling down on this idealistic vision of the classroom, Sumner again accepted a narrow conception of education that deemphasized the relationality of bodies. As Rancière writes of the logic of explication, "School could work to achieve equality only to the extent that, within the sheltering walls that separate it from the rest of society, it could devote itself to its proper task: to supply everyone equally, irrespective of origins or social destination, with the universality of knowledge."[173] This conception of equality faced a limit, a limit that Sumner implicitly embraced, for the "egalitarian aims" of the school relied upon "the necessarily inegalitarian form of relation obtaining between the

one who knows and the one who learns."[174] The more Sumner defined the school by its impermeable, enlightened boundaries rather than the relations among students, the less it embodied his broader vision of equality. On January 21, as final amendments were added to a bill to restore Virginia to the Union, Henry Wilson added an amendment asserting that "the Constitution of Virginia shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the school rights and privileges secured by the constitution of said State."[175] The amendment passed, and finally Sumner's call for an educational guarantee in the South had survived in the Senate. But the legislation said nothing about integration, leaving Sumner to vacillate once more.

The Infinite in the Intimate, 1872

The enclosed walls of explication Sumner envisioned for Virginia could not contain his vision of human equality at a universal scale. Just as he recognized in 1849, his conception of progress demanded not merely education, but that people be educated together. In literature, Bakhtin writes, "The motif of meeting is… impossible in isolation: it always enters as a constituent element of the plot into the concrete unity of the entire work."[176] Likewise, the schools guaranteed in Virginia, without being integrated, would be insufficient to the cultivation of Enlightenment progress. With illness and the final years of life bearing upon him, Sumner redoubled his commitment to the chronotopic classroom of progress through relationality. Through 1870 and 1871, Sumner pushed—with little success—for a Civil Rights Bill requiring desegregation of all public facilities, including hotels, transit, churches, and schools. In 1872, legislation advanced in Congress that would eliminate the restrictions on former Confederates still excluded from political participation. Proposing civil rights as a necessary accompaniment to amnesty, Sumner

attached his bill as an amendment.[177] As Kirt H. Wilson has written at length, Sumner sought to dig beneath the private prejudices of society, arguing "that those who disagreed with the transcendent truth of human equality needed a civil rights bill to transform their beliefs and opinion."[178] By providing a public intervention into the supposedly cut-off world of private sentiment, the school played an essential role in this argument.[179] Importantly, I would add, the school Sumner constructed in his desegregation rhetoric was imbued with a particular chronotopic configuration that heightened its capacity to intervene in children's lives. It collapsed Sumner's broadest conception of human equality into imagined social space.

Presenting his case for equality to a Congress committed to exclusions, Sumner relied upon what rhetorical scholar Thomas Farrell identifies as the dialectical reversibility of magnitudes, the similar imaginative demands posed by "the very, very large and the infinitesimally tiny."[180] The more "universal" Sumner's vision of equality became, the more space and time he compressed into the classroom. In his 1872 arguments, he imagined his chronotopic classroom to contain the infinitude of human rights within the most intimate of relations. Much of the argument recapitulated, at times word-for-word, what Sumner had already said in the *Roberts v. Boston* case. "How precious the example which teaches that all are equal I rights," he reiterated; "But this can be only where all commingle in the common school of common citizenship."[181] But Sumner's additions tellingly reified the school's place as preceding all time and encompassing all space. After justifying desegregation in several public institutions, Sumner metaphorically linked the school to all public domains. "[T]he school harmonizes with the other institutions already mentioned. It is an inn where children rest on the road

to knowledge. It is a public conveyance where children are passengers. It is a theater where children resort for enduring recreation. Like the others, it assumes to provide for the public; therefore it must be open to all."[182] He then added, "But the common school has a higher character. Its object is the education of the young… it assumes the place of parent to all children within its locality, bound always to a parent's watchful care and tenderness, which can know no distinction of child."[183] Gesturing toward "the end especially that fellow-citizens may be vindicated in the 'pursuit of happiness,' according to the immortal promise," Sumner pleaded "that the angel Education may not be driven from their doors."[184] To encapsulate the entire universe of public relations, across all spaces of public interaction, Sumner posited the Senate's goal as one of fostering the most intimate relation of two children, one black, and one white.

Fellow Senators did not share Sumner's commitment to infinite equality or its infinitesimal institutional counterpart. On May 21, 1872, the Senate debated the amnesty issue into early the next morning. The ailing Sumner left early for health reasons. In his absence, the Senate brought the civil rights amendment to the floor, gutted it of provisions regarding juries and public schools, and voted in its favor by only two votes.[185] Rushing back to the Senate shortly after the vote, Sumner decried "that in my absence… the Senate have adopted an emasculated civil rights bill, with two essential safeguards wanting."[186] Fellow Republicans, committed to a rhetoric of accommodation, were perplexed by Sumner's insistence on desegregated schools and juries. As Senator Roscoe Conkling of New York reasoned, "[I]f the bill which we have passed is so inadequate that it is worse than nothing, if civil rights as to all public conveyances, as to inns, as to all places of amusement, as to cemeteries, as to churches, and all that, are of no

avail whatever… I am afraid the Senator will see no civil rights bill, good, bad, or indifferent, during the residue of this session."[187] But Sumner was apoplectic, as segregated schools would inculcate prejudices and shape the trajectory of children's lives well before these other public venues.

Once more, Sumner had concluded that his vision of the school as a projector of social change across time was inseparable from the integration of students in space. Tragically, Sumner realized, the systems of education that state-level radicals guaranteed in Southern states would, under the control of Democratic redeemers, become the source of prejudice. Before the Civil War, few Southern state Constitutions contained provisions for public education, let alone guarantees.[188] By the time all eleven seceded states were recognized once more in the Union, each had provisions for tax-funded public school systems, the majority with detailed requirements for governance.[189] With segregated schools now sanctioned by Congress, Sumner feared, "The spirit of caste will receive new sanction in the education of children."[190]

The failure to found schools upon equal rights haunted Sumner. Late in life, he bristled at the suggestion that his emphasis on civil and voting rights took precedence over policies to educate former slaves. According to his friend and Massachusetts colleague George Frisbie Hoar, Sumner protested that "he had from the beginning put the latter on a level with the former," and that "his grief found vent in tears" when the Senate rejected his proposals for integrated schools and freedpeople's education.[191] The notion of public schools as a necessary, enabling element of civic life had been accepted, but Sumner worried that the schoolhouses under construction would only slow the trajectory of progress. "Prejudice is the child of ignorance," Sumner had argued in 1849; "it is sure

to prevail where people do not know each other."[192] As the radical phase of Reconstruction drew to a close, people would continue to not know each other. They would not imagine one another as equal participants in the same imagined community.

The Chronotopic Classroom and the Educational Imaginary

Over eighty years would pass between Sumner's efforts and Thurgood Marshall's challenge to school segregation before the Supreme Court in *Brown v. Board of Education.* During oral arguments, defendants for segregated school districts minimized Sumner's role in Reconstruction, emphasizing that his educational concerns were anomalous among members of Congress.[193] Chief Justice Earl Warren agreed. He conceded that the drafters of the 14th Amendment, other than a few like Sumner, hardly supported government-sponsored education, let alone integrated schools. But then Warren swept away that history, implicitly underscoring that many of Sumner's assumptions about schools had now become taken for granted on a national scale. "In these days," Warren argued, "it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education."[194] Without hesitation, in 1954 Warren could assume wide agreement on the premise that the school was capable of intervening early to shape the trajectory of students' lives. Even the segregationist opponents to the *Brown* decision agreed that schools had the power to change American race relations by shaping children's experience. This is precisely what they virulently opposed, preferring that their schools perpetuate a caste system predicated on prejudice and distrust.[195]

Somewhere on the way to the 21st century, Sumner's republican vision of a society mediated, sorted, and enabled by education became part of America's social

imaginary. His vision of integration remained, and still remains, contested. Through a reading of Sumner's vacillating rhetorics, this chapter has sought a better understanding of why one part of his vision was taken up and not the other. As the most institutionally powerful and outspoken ambassador of Horace Mann's common school movement during Reconstruction, Sumner demonstrated how the isolated Massachusetts idiom of reform conflicted with and complemented the diverse political languages of Congress. To this day, David F. Labaree notes, the common school movement has left a persistent legacy of "presenting the public schools as the most effective way to fix social problems, including the most deep-seated and difficult."[196] Examining the vacillations of Sumner's discourse provides insight into how these ideas mutated amid the struggle to reconstruct the Union—and why aspects of these ideas still conflict in the educational imaginary.

Sumner's discourse demonstrated a crucial way in which policy advocates expound visions of social change through rhetorical configurations of space and time. Loehwing argues that rhetorical scholars' traditional fixation on discourses' *kairotic* appropriateness neglect, more broadly, how "time governs not just fitting responses to rhetorical situations but also the bodies that speak them."[197] I have posited the chronotopic configuration of imagined institutional spaces as one way that bodies are discursively situated in time. As Bakhtin writes, chronotopes provide "the primary means of materializing time in space," of discursively constructing an altered set of conditions that transform time's procession, stagnation, or fluctuation.[198] In Sumner's Boston milieu, reform chronotopes were configured to alter the spatiotemporal experience of individuals at the level of immediate conscious experience. Asylums, prisons, and especially schools

all "contained" bodies for a duration, and the rhetorical shaping of space and time added qualitative texture to the unfolding of *chronos* for each inmate or student.

Concurrently operating in two temporal registers, Sumner's educational advocacy invoked the qualitative duration of children's education as a rationale for immediate action.[199] The simultaneity of these competing temporal registers complicated debates over citizenship during Reconstruction, when politicians debated endlessly over distinctions between natural, political, and civil/social rights.[200] These categories were each concerned with slicing up the present, of conferring "who has what rights" in the here-and-now. Education complicated matters by implicating two tenses at once. It conferred inequalities in the present while imagining a potential for total equality at an unspecified point in the future.[201] Sumner struggled with this tension of tenses throughout Reconstruction. Many of his more moderate and conservative colleagues had fewer qualms, invoking education to obfuscate the contradictions in their own discourses of exclusion. In concurrent debates over the Freedmen's Bureau, policymakers cited education as a criteria for civic participation without discursively undermining the principle of "equal rights" so essential to many Republican policies.

By envisioning the school as interfering with the temporal culture around it, as a timespace within a timespace, Sumner turned to education to intervene in the recalcitrant states. The imaginative force of this chronotopic classroom goes a long way toward explaining the American preference for education over other forms of social welfare since the late 19th century.[202] Because while medical care, welfare, nutritional support, and other forms of government assistance do implicate spaces that Americans intermittently enter, the imagined classroom orchestrates bodies over a duration of many

years, even decades. In ways other institutions could not, the school enabled arguers to imagine the qualitative thickening of *chronos,* thus discursively envisioning the long-term formation of future citizens.

In touting a vision of the nation as an educated community, Sumner's advocacy offered a projection of a future-polity that, in many ways, operated as a force of cohesion in its own right. In the school's microcosmic space, relations and behaviors could be controlled in a way that plausibly advanced a foregone conclusion: a united nation, a fitter military, a racially egalitarian society, a better class of scientists, or a better-prepared economic workforce (depending on which generation of Americans one is hoping to reform). For Sumner, and more pervasively today, the image of the school gave life to what Chowers calls the modern impulse "to leave behind the rubble of history in which humans are always divided and to rush ahead to their anticipated, cosmopolitan home."[203] The school offered a secular alternative to notions of teleology that waned in the late 19th century, replacing faith in a divine plan or scientific progress with a faith in human capacity to shape temporal and spatial experience. This rhetorical projection contributes to the school's force as a policy panacea.

In offering a panacea, though, the school creates a dissonance between the present and future society it imagines. The prospect of a future-polity projected past the irreconcilable problems of the present has an enduring allure, sustaining a hope of national cohesion even amid moments of great turmoil. But in this optimism toward the future, school reform enacts a cynicism toward the older generations of the present—those who, as Sumner said, have crossed the "Mason and Dixon's line" of life. To his literary executor, Sumner insisted that each volume of his *Works* begin with the Latin

inscription by Leibnitz: “Veniet fortasse aliud tempus, dignius nostro, quo, debellatis odiis, veritas triumphabit. Hoc mecum opta, lector, et vale.” It translates: “There will perhaps come another time, more worthy than ours, in which, hatreds fought down, the truth will triumph. Wish for this with me, reader, and farewell.”[204] The school continues to provide this combination of cynicism and solace, at a scale Sumner could only imagine.

Notes: Chapter One

[1] Charles Sumner, *The National Security and The National Faith; Guarantees for the National Freedman and the National Creditor: Speech of Hon. Charles Sumner at the Republican State Convention, in Worcester, September 14, 1865* (Boston: Wright & Potter, 1865), 18.

[2] "A Republic is a political contrivance by which the popular voice is collected and uttered, as one articulate and authoritative sound. If then, the people are unrighteous, that utterance will be unrighteous." Horace Mann, *An Oration Delivered before the Authorities of the City of Boston, July 4, 1842,* 5th ed. (Washington, DC: Library of Congress, 1842), 17.

[3] Mann, *An Oration Delivered before the Authorities of the City of Boston,* 29.

[4] Mann, *An Oration Delivered before the Authorities of the City of Boston,* 15.

[5] Mann, *An Oration Delivered before the Authorities of the City of Boston,* 23.

[6] Mann, *An Oration Delivered before the Authorities of the City of Boston,* 29.

[7] On Mann's difficulties promoting common schools, see Mary Peabody Mann, *Life of Horace Mann* (Boston, MA: Walker, Fuller, and Company, 1865), 117. By September of 1842, over 17,000 copies of Mann's speech were in circulation. It ultimately went through at least five different editions of printing. Edward L. Pierce, *Memoir and Letters of Charles Sumner,* vol. 2 (Boston: Roberts Brothers, 1881), 223.

[8] Pierce, *Letters and Memoirs of Charles Sumner,* vol. 2, 223.

[9] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:167.

[10] Charles Sumner, *A Bridge from Slavery to Freedom. Speech, of Hon. Charles Sumner, on the Bill to establish a Bureau of Freedmen, in the Senate of the United States, June 13th and 15th, 1864* (Washington, DC: H. Polkinhorn & Son., 1864).

[11] Charles Taylor, *Modern Social Imaginaries* (Durham, NC: Duke University Press, 2004), 24.

[12] See, for instance, David F. Labaree, *Someone Has to Fail: The Zero-Sum Game of Public Schooling* (Cambridge, MA: Harvard University Press, 2010); Bob Pepperman Taylor, *Horace Mann's Troubling Legacy: The Education of Democratic Citizens* (Lawrence: University Press of Kansas, 2010); William J. Reese, *Testing Wars in the Public Schools: A Forgotten History* (Cambridge, MA: Harvard University Press, 2013).

[13] See, for instance, Judith N. Shklar, *American Citizenship: The Quest for Inclusion* (Cambridge, MA: Harvard University Press, 1991), 75-77.

[14] Taylor, *Modern Social Imaginaries*, 25.

[15] Benedict Anderson, *Imagined Communities,* rev. ed. (1983; New York: Verso, 2006), 26. Taylor writes that a social imaginary encompasses "wider perspectives on where we stand in space and time: our relation to other nations and peoples (e.g., to external models of democratic life we are trying to imitate, or of tyranny we are trying to distance ourselves from) and also where we stand in our history, in the narrative of our becoming." Taylor, *Modern Social Imaginaries*, 27.

[16] Eyal Chowers, "The Marriage of Time and Identity: Kant, Benjamin, and the Nation-State," *Philosophy & Social Criticism* 25 (1999): 60-61.

[17] Rhetorical scholars have a habit of overstating the extent to which 19th century Americans embraced this conception of temporality, downplaying the diversity of

temporal cultures during that era. For example, David Zarefsky writes: "Nineteenth-century Americans saw history as continuous rather than static; it was a set of vectors rather than a set of events." Or Michael Calvin McGee: "In nineteenth-century historicism, 'movement' was not a phenomenon, but it was thought to be objective. So 'movement' was ground or context, and human communication, when it was thought of at all, was considered to exist as a figure within the 'movement.'" As Sumner's case illustrates, his teleological view of history as a unidirectional movement was just one of many ways of constructing temporality. David Zarefsky, *Lincoln, Douglas, and Slavery: In the Crucible of Public Debate* (Chicago: University of Chicago Press, 1990), 163; Michael Calvin McGee, "'Social Movement': Phenomenon or Meaning?" *Central States Speech Journal* 31 (1980): 242.

[18] Thomas M. Allen, *A Republic in Time: Temporality and Social Imagination in Nineteenth-Century America* (Chapel Hill: University of North Carolina Press, 2008), 10; Michael O'Malley, *Keeping Watch: A History of American Time* (Washington, DC: Smithsonian Institution Press, 1990); Cheryl A. Wells, *Civil War Time: Temporality and Identity in America, 1861-1865* (Athens: University of Georgia Press, 2005).

[19] Rhetorical scholars have frequently identified strong temporal dimensions in Sumner's argumentation. See, for instance, Michael William Pfau, "Time, Tropes, and Textuality: Reading Republicanism in Charles Sumner's 'Crime Against Kansas,'" *Rhetoric & Public Affairs* 6 (2003): 385-413; Kirt H. Wilson, "Emerson, Transcendental Prudence, and the Legacy of Senator Charles Sumner," *Rhetoric & Public Affairs* 2 (1999): 453-479.

[20] Melanie Loehwing, "Homelessness as the Unforgiving Minute of the Present: The Rhetorical Tenses of Democratic Citizenship," *Quarterly Journal of Speech* 96 (2010): 380-403.

[21] Doreen Massey, *For Space* (Thousand Oaks, CA: SAGE Publications, 2005), 56; Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (1974; trans., Malden, MA: Blackwell, 1991), 169-176.

[22] Charles Sumner, *Argument of Charles Sumner, Esq. Against the Constitutionality of Separate Colored Schools, in the Case of Sarah C. Roberts vs. The City of Boston Before the Supreme Court of Mass, Dec. 4, 1849* (Boston: B.F. Roberts, 1849), 29-30.

[23] Mikhail Bakhtin, *The Dialogic Imagination: Four Essays,* ed. Michael Holquist; trans. Caryl Emerson and Michael Holquist (Austin: University of Texas Press, 1982), 84. Margaret J. Marshall discusses the chronotope of repetition in school reformer rhetorics. Likewise, Edwards, et al., address the role of spatial metaphors in education policy discourse. Margaret J. Marshall, *Contesting Cultural Rhetorics: Public Discourse and Education, 1890-1900* (Ann Arbor: University of Michigan Press, 1995), 51-53; Richard Edwards, Katherine Nicoll, Nicky Solomon, and Robin Usher, *Rhetoric and Educational Discourse: Persuasive Texts?* (New York: RoutledgeFalmer, 2004).

[24] Bakhtin, *The Dialogic Imagination,* 84.

[25] Jacques Rancière notes the tendency for education reform arguments to display "a faith in the magical powers of time—powers such that any manipulation of time at all, even a blind one, guarantees some miraculous result or other." Jacques Rancière, *On the Shores of Politics*, trans. Liz Heron (1992; trans., New York: Verso, 1995), 36; 25-26;

Dwayne Huebner, "Curriculum as Concern for Man's Temporality," *Theory into Practice* 6 (1967): 172-179.

[26] John E. Smith, "Time, Times, and the 'Right Time': 'Chronos' and 'Kairos,'" *The Monist* 53 (1969): 1. In his introduction to the recent volume *Rhetoric and Kairos,* Phillip Sipiora follows Smith in making this distinction. Phillip Sipiora, "Introduction: The Ancient Concept of *Kairos,*" in *Rhetoric and Kairos: Essays in History, Theory, and Praxis,* ed. Phillip Sipiora and James S. Baumlin (Albany: SUNY Press, 2002), 1-22.

[27] Wilson, "Emerson," 462; Roger Thompson, "Ralph Waldo Emerson and the American *Kairos,*" in *Rhetoric and Kairos,* 187-198. A helpful point of contrast from my argument is Richard Benjamin Crosby's account of Martin Luther King, Jr.'s rhetorical intervention into secular time with a conception of "divine time and space." In Sumner's case, it was the duration of children's lives (in the secular realm) that was invoked to call upon a rhetorical intervention. Richard Benjamin Crosby, "Kairos as God's Time in Martin Luther King, Jr.'s Last Sunday Sermon," *Rhetoric Society Quarterly* 39 (2009): 260-280.

[28] For example, Ward M. McAfee writes that "Sumner valued racial integration more than public education and was willing to risk a failure of the latter rather than see it be used to continue the racial caste mentality of slavery." Ward M. McAfee, "Reconstruction Revisited: The Republican Public Education Crusade of the 1870s," *Civil War History* 42 (1996): 143. On the "man of one idea" label, see Gilbert Osofsky, "Cardboard Yankee: How Not to Read the Mind of Charles Sumner," *Reviews in American History* 1 (1973): 595-606.

[29] This essay follows Anne-Marie Taylor's effort to revitalize understandings of Sumner's Senate career by better understanding his development in the Enlightenment reform circles of Boston. Anne-Marie Taylor, *Young Charles Sumner and the Legacy of the American Enlightenment, 1811-1851* (Amherst: University of Massachusetts Press, 2001).

[30] Jacques Rancière, *The Ignorant Schoolmaster: Five Lessons in Intellectual Emancipation,* trans. Kristin Ross (Stanford, CA: Stanford University Press, 1991), 132.

[31] Rancière, *The Ignorant Schoolmaster*, 133.

[32] Rancière, *The Ignorant Schoolmaster,* 9.

[33] Sumner, *The National Security and The National Faith,* 6.

[34] Ralph Waldo Emerson, "Man the Reformer. A Lecture Read before the Mechanics' Apprentices' Library Association, Boston, January 25, 1841," in *Nature: Addresses and Lectures* (Philadelphia, PA: David McKay, 1894), 222. Emerson had also expressed a school reform philosophy that bore some resemblance to Sumner's—see, for instance, Ralph Waldo Emerson, "Address on Education (On Opening the Greene Street School, Providence, R.I., 10 June 1837)" in *The Early Lectures of Ralph Waldo Emerson,* vol. 2, ed. Stephen E. Whicher, Robert E. Spiller, and Wallace E. Williams (Cambridge, MA: Harvard University Press, 1964), 191-206.

[35] Taylor, *Young Charles Sumner and the Legacy of the American Enlightenment,* 126-163.

[36] Taylor, *Young Charles Sumner and the Legacy of the American Enlightenment,* 85-86.

[37] Taylor, *Young Charles Sumner and the Legacy of the American Enlightenment,* 179-180.

[38] Dorothea L. Dix, *Memorial to the Legislature of Massachusetts* (Boston: n.p., 1843), 2.

[39] Horace Mann, "Report of the Secretary of the Board of Education on the Subject of Schoolhouses (Supplementary to His First Annual Report)," in *Lectures and Annual Reports, on Education,* ed. Mary Peabody Mann (Boston: George C. Rand & Avery, 1867), 433-492.

[40] Octavius Brooks Frothingham, *Transcendentalism in New England: A History* (New York: G.P. Putnam's Sons, 1876), 105.

[41] Immanuel Kant, *Critique of Pure Reason,* trans. J.M.D. Meiklejohn (London: Henry G. Bohn, 1855), 24; 23-36; Frothingham, *Transcendentalism in New England,* 17-20.

[42] Horace Mann, "The Necessity of Education in a Republican Government," in *Lectures on Education* (Boston: Ide and Dutton, 1855), 120.

[43] Helga Nowotny, *Time: The Modern and Postmodern Experience*, trans. Neville Plaice (1989; trans., Malden, MA: Polity Press, 1994), 45.

[44] Horace Mann, "Report for 1843," in *Life and Works of Horace Mann,* vol. 3, *Annual Reports of the Secretary of the Board of Education of Massachusetts for the Years 1839-1844* (1867; rpt., Boston: Lee and Shepard Publishers, 1891), 403. For additional context on Mann's trip, see Karl-Ernst Jeismann, "American Observations Concerning the Prussian Educational System in the Nineteenth Century," in *German Influences on*

Education in the United States to 1917, ed. Henry Geitz, Jürgen Heideking, and Jurgen Herbst (New York: Cambridge University Press, 1995), 21-42.

[45] In this modernistic conception of nationhood, Massey explains, "[d]ifferent 'places' were interpreted as different stages in a single temporal development." Massey, *For Space*, 68; 71.

[46] Mann, "Report for 1843," 413.

[47] Mann, "Report for 1843," 415.

[48] Mann, "Report for 1843," 281-283. Boston educators took particular umbrage with these remarks. See Association of Masters of the Boston Public Schools, *Remarks on the Seventh Annual Report of the Hon. Horace Mann, Secretary of the Massachusetts Board of Education* (Boston: Charles C. Little and James Brown, 1844), 28.

[49] Taylor, *Young Charles Sumner and the Legacy of the American Enlightenment*, 123.

[50] Charles Sumner, "Mr. Mann's Report on Education Abroad," *Boston Advertiser*, March 12, 1844. Sumner wrote a follow-up afterward that critiqued institutions of higher education for failing to uphold their responsibilities to common schools. Charles Sumner, "Mr. Mann's Report," *Boston Advertiser,* March 21, 1844. Newspapers accessed at the Library of Congress, Newspaper & Current Periodical Reading Room, Washington, DC.

[51] Sumner, "Mr. Mann's Report on Education Abroad."

[52] Sumner, "Mr. Mann's Report on Education Abroad."

[53] Association of Masters of the Boston Public Schools, *Remarks on the Seventh Annual Report of the Hon. Horace Mann.*

[54] Horace Mann, *Reply to the 'Remarks' of Thirty-One Boston Schoolmasters on the Seventh Annual Report of the Secretary of the Massachusetts Board of Education* (Boston: William B. Fowle and Nahum Capen, 1844), 5. Highlighting the intensity of the exchange, the schoolmasters fired back with another rebuttal. Association of Masters of the Boston Public Schools, *Rejoinder to the 'Reply' of the Hon. Horace Mann, Secretary of the Massachusetts Board of Education, to the 'Remarks' of the Association of Boston Masters, Upon His Seventh Annual Report* (Boston: Charles C. Little and James Brown, 1845).

[55] Reese, *Testing Wars in the Public Schools*, 57-68; Stanley K. Schultz, *The Culture Factory: Boston Public Schools, 1789-1860* (New York: Oxford University Press, 1973), 138-153; Harold Schwartz, *Samuel Gridley Howe: Social Reformer, 1801-1876* (Cambridge, MA: Harvard University Press, 1956), 120-136.

[56] Mann, *An Oration Delivered before the Authorities of the City of Boston,* 12.

[57] Rancière, *The Ignorant Schoolmaster*, 5.

[58] Rancière, *The Ignorant Schoolmaster*, 120.

[59] Sumner, "Mr. Mann's Report on Education Abroad."

[60] After the school campaign drew to a close, Sumner went so far as to help Mann finance the construction of new Normal Schools for teacher education. Schwartz, *Samuel Gridley Howe,* 126-127; Beverly Wilson Palmer, ed., *The Selected Letters of Charles Sumner,* vol. 1 (Boston: Northeastern University Press, 1990), 146-147.

[61] Schultz, *The Culture Factory*, 145-153; Reese, *Testing Wars in the Public Schools*, 57-68.

[62] Sumner, "Mr. Mann's Report on Education Abroad."

[63] On the speech's controversial reception, see Taylor, *Young Charles Sumner and the Legacy of the American Enlightenment*, 183-193.

[64] Charles Sumner, *The True Grandeur of Nations: An Oration Delivered Before the Authorities of the City of Boston, July 4, 1845* (Boston: The American Peace Society, 1845), 30.

[65] Sumner, *The True Grandeur of Nations*, 31.

[66] Sumner, *The True Grandeur of Nations,* 52.

[67] Sumner, *The True Grandeur of Nations,* 75-76.

[68] Sumner, *The True Grandeur of Nations*, 72.

[69] Charles Sumner, *The Law of Human Progress: An Oration before the Phi Beta Kappa Society of Union College, Schenectady, July 25th, 1848* (Boston: William D. Ticknor & Company, 1849), 32.

[70] Sumner, *The Law of Human Progress*, 36-37.

[71] Sumner, *The Law of Human Progress*, 39.

[72] Loehwing, "Homelessness as the Unforgiving Minute of the Present," 397.

[73] Sumner, *The Law of Human Progress*, 36.

[74] Sumner, *The Law of Human Progress*, 32.

[75] Sumner, "Mr. Mann's Report on Education Abroad."

[76] Massey, *For Space,* 147.

[77] For context on this case, see Marouf Hasian, Jr., and Geoffrey D. Klinger, "Sarah Roberts and the Early History of the 'Separate but Equal' Doctrine: A Study in Rhetoric, Law, and Social Change," *Communication Studies* 53 (2002): 269-283.

[78] Boston School Committee, *Report of a Special Committee of the Grammar School Board, August 29, 1849, Adverse to the Petition of Sundry Colored Persons, Praying for the Abolition of the Smith School, with a Minority Report* (Boston: J.H. Eastburn, 1849), 23.

[79] Schultz, *The Culture Factory*, 197.

[80] Bakhtin, *The Dialogic Imagination,* 243.

[81] Sumner, *Argument of Charles Sumner, Esq.*, 13.

[82] Sumner, *Argument of Charles Sumner, Esq.*, 15.

[83] Bakhtin, *The Dialogic Imagination,* 243.

[84] Sumner, *Argument of Charles Sumner, Esq.,* 15.

[85] Sumner, *Argument of Charles Sumner, Esq.,* 15.

[86] Put another way, the production of *kairos* is often treated as the imbuing of a particular moment with peculiar momentousness and urgency—a qualitatively-produced rhetorical construction amidst an accretion of indistinguishable chronological moments. For instance, see Smith, "Time, Times, and the 'Right Time,'" 3.

[87] Sumner, *Argument of Charles Sumner, Esq.,* 15.

[88] Sumner, *Argument of Charles Sumner, Esq.,* 13.

[89] Crosby, "Kairos as God's Time in Martin Luther King, Jr.'s Last Sunday Sermon," 271.

[90] Sumner, *Argument of Charles Sumner, Esq.,* 12.

[91] Rancière, *The Ignorant Schoolmaster,* 38.

[92] For Sumner's critical letters to Mann, see Palmer, *The Selected Letters of Charles Sumner,* vol. 1, 278-279; 281-282.

[93] Hilary J. Moss, *Schooling Citizens: The Struggle for African American Education in Antebellum America* (Chicago: University of Chicago Press, 2009), 150-151; Chris Beneke, "The Idea of Integration in the Age of Horace Mann," in *Inequity in Education: A Historical Perspective,* ed. Debra Meyers and Burke Miller (Lanham, MD: Lexington Books, 2009), 101-114.

[94] Mann, *An Oration Delivered before the Authorities of the City of Boston,* 16.

[95] Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988), 176-184.

[96] Foner, *Reconstruction,* 176.

[97] Foner, *Reconstruction*, 185-197.

[98] Charles Sumner, "The One Man Power vs. Congress. The Present Situation," in *The Works of Charles Sumner,* vol. 11, comp. Francis J. Balch (Boston: Lee and Shepard, 1877), 25.

[99] Andrew Johnson, "First Annual Message," December 4, 1865, *The American Presidency Project,* online by Gerhard Peters and John T. Woolley, http://www.presidency.ucsb.edu/ws/?pid=29506.

[100] Charles Sumner, "Our Domestic Relations; Or, How to Treat the Rebel States," *Atlantic Monthly,* September 1863, 519-520.

[101] Sumner, *The National Security and The National Faith*, 13.

[102] On the importance of this clause during Reconstruction, see William M. Wiecek, *The Guarantee Clause of the U.S. Constitution* (Ithaca, NY: Cornell University Press, 1972); Akhil Reed Amar, *America's Constitution: A Biography* (New York: Random House, 2005), 364-380.

[103] Sumner, *The National Security and The National Faith,* 15; Sumner, "Our Domestic Relations," 525-526.

[104] Pfau addresses that Sumner incorporated the cyclical logic of republican decay into his "Crime Against Kansas" speech, suggesting a prior commitment to this view of history. Pfau, "Time." That said, generally Sumner subordinated cyclical ideas in his speech beneath the continuities of Enlightenment progress. For example, he critiqued the cyclical theory of Giambattista Vico for assuming a perpetual return to decay; "he failed to perceive, that these same Laws [of progress] promise to conduct it through unknown and infinite stages. He was perplexed by the treacherous image of youth, manhood, and age, and seemed to suppose, that nations were to turn in a vicious circle of change." Sumner, *The Law of Human Progress,* 14-15.

On the cyclical assumptions of republicanism, J.G.A. Pocock writes that the tradition of republican theory viewed republics as periodically "confronting [their] own temporal finitude," struggling "to remain morally and politically stable" against forces of faction and corruption. J.G.A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton, NJ: Princeton University Press, 1975), viii; 4; 75-78.

[105] For a thorough account of the Founders' embrace of "republicanism" over "democracy, see Jennifer R. Mercieca, *Founding Fictions* (Tuscaloosa: University of Alabama Press, 2010), 9-41. On the common school movement's basis in republican ideology, see Carl F. Kaestle, *Pillars of the Republic: Common Schools and American Society, 1780-1860* (New York: Hill and Wang, 1983); Lorraine Smith Pangle and Thomas L. Pangle, *The Learning of Liberty: The Educational Ideas of the American*

Founders (Lawrence: The University Press of Kansas, 1993), 32-53; Richard D. Brown, *The Strength of a People: The Idea of an Informed Citizenry in America, 1650-1870* (Chapel Hill: University of North Carolina Press, 1996).

[106] Jacques Rancière, "Democracy, Republic, Representation," *Constellations* 13 (2006): 303.

[107] "For thirty years and more this wickedness was maturing," he argued, and as much time might be needed to foster a different politics among disloyal confederates. Sumner, *The National Security and The National Faith,* 17.

[108] Sumner, *The National Security and The National Faith,* 18.

[109] Sumner, *The National Security and The National Faith,* 12.

[110] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:704.

[111] David Herbert Donald, *Charles Sumner and the Rights of Man* (1970; rpt., New York: Da Capo Press, 1996), 242-245.

[112] Benjamin B. Kendrick, "The Journal of the Joint Committee of Fifteen on Reconstruction, 39th Congress, 1865-1867" (PhD diss., Columbia University, 1914), 50-51.

[113] It is noteworthy that Sumner was also concerned about his reelection to the Senate, and that the proposed mode of apportionment, including its loophole for illiteracy, appealed to his constituency in the state. Foner, *Reconstruction,* 252-253.

[114] Kirt H. Wilson, *The Reconstruction Desegregation Debate: The Politics of Equality and the Rhetoric of Place, 1870-1875* (East Lansing: Michigan State University Press, 2002), 54-55; Wilson, "Emerson," 461-462.

[115] Wiecek, *The Guarantee Clause of the U.S. Constitution,* 149.

[116] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:682. On Sumner's interpretation of the "revolutionary republicanism" of the Founders, see Janis L. McDonald, "The Republican Revival: Revolutionary Republicanism's Relevance for Charles Sumner's Theory of Equality and Reconstruction," *Buffalo Law Review* 38 (1990): 465-514.

[117] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:682.

[118] Charles de Secondat Montesquieu, *The Spirit of the Laws,* trans. and ed. Anne M. Cohler, Basia Carolyn Miller, and Harold Samuel Stone (1748; New York: Cambridge University Press, 1989), 31-36. On the influence of Montesquieu on the Founders' views of education, see Pangle and Pangle, *The Learning of Liberty,* 242-243. Previously, I noted Mann's allusion to Montesquieu in his arguments on education's role in republican government. Michael J. Steudeman, "Horace Mann, 'The Necessity of Education in a Republican Government' (Fall 1839)," *Voices of Democracy* 8 (2014): 11-12.

[119] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:677.

[120] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:685.

[121] Mark Hlavacik refers to this appeal as the "paradox of blame" in education reform rhetoric—that a person needs agency to be blamed. Mark Hlavacik, *Assigning Blame: The Rhetoric of Education Reform in the United States* (Cambridge, MA: Harvard Education Press, forthcoming fall 2016).

[122] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:685.

[123] T.H. Marshall, *Citizenship and Social Class and Other Essays* (Cambridge, UK: Cambridge University Press, 1950), 25.

[124] Rancière, *The Ignorant Schoolmaster,* 20.

[125] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:685, italics Sumner's. Sumner's reference to "manhood" reflects his commitment to gendered, 19th-century conceptions of character and free labor. As Amy Dru Stanley writes, this reflected a disproportionate emphasis on the education, labor, and citizenship of freed *men*—whereas freed women were expected to assume roles as subordinate homemakers, bound by marriage contracts. Amy Dru Stanley, *From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slave Emancipation* (New York: Cambridge University Press, 1998), 37-40; 55-59. Sumner's peculiarly egalitarian views for his era did not extend to gender.

[126] Rancière, *The Ignorant Schoolmaster,* 9.

[127] Rancière, *The Ignorant Schoolmaster,* 15-16.

[128] Rancière, *The Ignorant Schoolmaster,* 28.

[129] In this pedagogical conception, Rancière explains, learning derives not from the stultification of teachers, but from the "method of the will," "the exploration of the powers of any man [sic] when he judges himself equal to everyone else and judges everyone else equal to him." Rancière, *The Ignorant Schoolmaster,* 12; 56.

[130] Beverly Wilson Palmer, ed., *The Selected Letters of Charles Sumner,* vol. 2 (Boston: Northeastern University Press, 1990), 374.

[131] Douglas R. Egerton, *The Wars of Reconstruction: The Brief, Violent History of America's Most Progressive Era* (New York: Bloomsbury Press, 2014), 206-210.

[132] Egerton, *The Wars of Reconstruction*, 216-217.

[133] "An indication of how the political climate had shifted since 1866 was that debate centered not on extending the franchise to blacks, but restricting it among whites." Foner, *Reconstruction,* 274.

[134] Foner, *Reconstruction,* 274-275. To Sumner, John Sherman cautioned: "Beware, Sir, lest in guarding against rebels you destroy the foundation of republican institutions." *Congressional Globe,* 39th Cong., 2nd Sess., 1867, 37, pt. 3:1564; 1625. Lyman Trumbull's concern during the Second Reconstruction Act debate was simply "to afford facilities to the people to give expression to their opinions." *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:110.

[135] Foner, *Reconstruction,* 275.

[136] In this sense, Sumner's position resembled Taylor's observation that "[t]he transition to democracy involves our being able to sustain together elections and the other practices and institutions of democracy" through "some sense of how we all fit together in carrying out the common practice." Charles Taylor, "Cultures of Democracy and Citizen Efficacy," *Public Culture* 19 (2007): 120.

[137] *Congressional Globe,* 39th Cong., 2nd Sess., 1867, 37, pt. 3:1626.

[138] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:15.

[139] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:15.

[140] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:50.

[141] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:165.

[142] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:166.

[143] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:165.

[144] As Massey writes, some timespaces possess a "stronger" capacity to infiltrate (and be infiltrated) than others based on the "*terms* on which [their] openness/closure is established." Massey, *For Space,* 179.

[145] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:167.

[146] Bakhtin, *The Dialogic Imagination,* 105.

[147] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:166.

[148] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:166-167.

[149] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:165.

[150] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:167.

[151] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:167, italics Sumner's. Notably, this story of parallelism had a wide circulation before Sumner made the argument. Glorifying his ancestors, Puritan descendant Robert C. Winthrop made the same appeal in 1839, using similar language. And, in the previous session of Congress, Minnesota Congressman Ignatius Donnelly made the same argument in advocating the Bureau of Education. Robert C. Winthrop, *An Address Delivered Before the New England Society, in the City of New York, December 23, 1839* (Boston: Perkins & Marvin, 1840), 52-53; *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2967. Berkeley's original comments can be found in "'Enquiries to the Governor of Virginia.' Submitted by the Lords Commissioners of Foreign Plantations, with the Governor's Answers to Each Distinct Head," in *The Statutes at Large; Being a Collection of all the Laws of Virginia from the First Session of the Legislature, in the Year 1619, Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of*

February One Thousand Eight Hundred and Eight, vol. 2, edited by William Walter Hening (New York: R. & W. & G. Bartrow, 1823), 517.

[152] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:167.

[153] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:167.

[154] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:166.

[155] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:166.

[156] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:169.

[157] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:169.

[158] Donald, *Charles Sumner and the Rights of Man,* 298.

[159] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:673.

[160] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:170.

[161] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:581.

[162] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:581.

[163] Foner, *Reconstruction,* 422-444.

[164] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 1:325.

[165] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 1:354, 388.

[166] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 1:545.

[167] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 1:565.

[168] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 1:546.

[169] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 1:546.

[170] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:166.

[171] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 1:546.

[172] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 1:569.

[173] Jacques Rancière, *Hatred of Democracy*, trans. Steve Corcoran (2005; trans., New York: Verso, 2014), 24-25.

[174] Rancière, *Hatred of Democracy,* 24-25.

[175] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 1:643.

[176] Bakhtin, *The Dialogic Imagination,* 97.

[177] Foner, *Reconstruction,* 504-505.

[178] Wilson, *The Reconstruction Desegregation Debate*, 69.

[179] Wilson, *The Reconstruction Desegregation Debate*, 138-139.

[180] Thomas B. Farrell, "The Weight of Rhetoric: Studies in Cultural Delirium," *Philosophy and Rhetoric* 41 (2008): 477.

[181] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt.1:384.

[182] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt.1:384.

[183] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt.1:384.

[184] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt.1:386.

[185] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt.5:3727-3735.

[186] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt.5:3737-3738.

[187] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt.5:3738.

[188] Of those admitted after the Founding, only Florida and Alabama had provisions for finance—through either land grants or a statewide school fund—but both of those states also provided little additional machinery for concrete support. Kentucky, Tennessee, and Louisiana had no provisions for education at all. David Tyack, Thomas James, and Aaron Benavot, *Law and the Shaping of Public Education, 1785-1954* (Madison: University of Wisconsin Press, 1987)*,* 56.

[189] Tyack, James, and Benavot, *Law and the Shaping of Public Education,* 145.

[190] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt.5:3738.

[191] Edward L. Pierce, *Memoir and Letters of Charles Sumner,* vol. 4 (Boston: Roberts Brothers, 1881), 317.

[192] Sumner, *Argument of Charles Sumner, Esq.,* 30.

[193] Singling out Sumner, attorney T. Justin Moore pointed out that his colleagues voted against his amendments for education, integrated or otherwise. Leon Friedman, ed., *Brown v. Board: The Landmark Oral Argument Before the Supreme Court* (1969; rpt., New York: The New Press, 2004), 224-226; see also Paul E. Wilson's remarks, 268-269.

[194] *Brown v. Board of Education of Topeka* 347 U.S. (1954), 493.

[195] James T. Patterson, *Brown v. Board of Education: A Civil Rights Milestone and Its Troubled Legacy* (New York: Oxford University Press, 2001), 6-7; 114-116; Danielle S. Allen, *Talking to Strangers: Anxieties of Citizenship since* Brown v. Board of Education (Chicago: University of Chicago Press, 2004).

[196] Labaree, *Someone Has to Fail*, 78.

[197] Loehwing, "Homelessness as the Unforgiving Minute of the Present," 398.

[198] Bakhtin, *The Dialogic Imagination,* 250.

[199] Though this temporal logic could extend to other policy discourses, I do suspect that education offers a pervasive example of where *kairos* and *chronos* conflate. As James L. Kinneavy writes, it is not incidental that the Greeks represented the god *Kairos* "as an ephebe, a young man attending the two years of required civic and military education, at the end of which rite of passage he came into manhood." On the front of the god's head was a long lock of hair, a Greek symbol of seizing opportunity—their

equivalent of 'taking the bull by the horns.' *Kairos* represented opportunity, but that opportunity was suppressed; the student's rite of passage had not been fulfilled. James L. Kinneavy, "*Kairos* in Classical and Modern Rhetorical Theory," in *Rhetoric and Kairos,* 65.

[200] Foner, *Reconstruction,* 231.

[201] In accounting for education as a discourse of citizenship, T.H. Marshall argues that education should be read as a "genuine social right" of citizenship—not for the child, but for the eventual adult. I argue that this configuration understates the implications of education's intervention in both the present and future of children and adults alike. Marshall, *Citizenship and Social Class and Other Essays,* 25.

[202] Tracy L. Steffes, *School, Society, & State: A New Education to Govern Modern America, 1890-1940* (Chicago: University of Chicago Press, 2012), 4-7.

[203] Eyal Chowers, "Gushing Time: Modernity and the Multiplicity of Temporal Homes," *Time & Society* 11 (2002): 242.

[204] The translation is provided in Andrew Hilen, ed., *The Letters of Henry Wadsworth Longfellow,* vol. 5 (Cambridge, MA: Harvard University Press, 1982), 321.

CHAPTER TWO

"SO SOON AS THEY ARE WORTHY": EVALUATING DISPOSITION AND ASSIGNING RESPONSIBILITY IN THE FREEDMEN'S BUREAU DEBATE

I think the American people are disposed often to be generous rather than just.
- Frederick Douglass, April, 1865[1]

As the 1868 deadline for the dissolution of the Freedmen's Bureau neared, Congressman Thomas D. Eliot sent a request to field agents asking their opinion on whether the Bureau should be continued. Among his respondents was Samuel Chapman Armstrong, an agent who would soon found the Hampton Institute and impart a philosophy of "character-building" to black teachers across the South.[2] Committed to theories of scientific racism, Armstrong insisted that "the differentia of races go deeper than the skin." Blacks were, he argued, a malleable race, marred by "[d]eficiency of character" but "docile and plastic" enough to be made independent.[3] In his letter to Eliot on December 30, 1867, these racial sentiments inflected Armstrong's suggestions for the future of the Bureau. He claimed that, for the most part, the Bureau's diverse activities could be scaled down. The youngest, oldest, and sickest former slaves still needed humanitarian aid, but the Bureau could mostly cease its material assistance to "those who, by their own fault, have become paupers." For the rest of the freedpeople, only one area of the Bureau's efforts could help them. "Education, energetically pressed, is… the only remedy."

In Armstrong's view, the freedpeople were simply not ready for serious civic responsibilities. In "their simplicity and ignorance of the nature of legal procedure," they were not ready to defend themselves in court. Susceptible to politicians "seeking with

smooth and flattering words, the suffrages of an ignorant people," they were not ready to participate in politics. Lacking "conscience in the performance of duty," they were not ready to work. Beneath all the former slaves' character flaws, their "stealing, deceit, and neglect of parental and conjugal duties," Armstrong found one, underlying cause: "the ignorance of the freedpeople," from which "grows a brood of evils that will disappear only with increasing intelligence."[4] Whatever the former slaves did, Armstrong interpreted their actions as revealing a lack of proper mental training. Education alone could correct problems of character. It is telling that, when Congress voted to sustain the Bureau in 1868, the bill they passed closely resembled Armstrong's recommendation. The Bureau would continue supporting missionary educators for an undefined time, but the rest of its efforts would cease by July.

The evolution of the Bureau of Refugees, Freedmen, and Abandoned Lands, colloquially known as the Freedmen's Bureau, reflected a gradual shift from material aid to education as a means of helping former slaves.[5] This shift occurred over the course of a six-year debate about Congress's responsibilities toward those who had just been emancipated without inheritance, income, basic necessities, or legal protections. Originally, abolitionist petitioners had envisioned a permanent "Bureau of Emancipation." It would be, as Charles Sumner proposed, a "bridge from slavery to freedom."[6] As the military dealt with the widespread displacement of freedpeople during the war, Congress considered, but ultimately rejected, the petitioners' far-reaching proposal. Instead, they created a temporary War Department agency with a vast charge and little funding.[7] Enlisted to adjudicate disputes between freedpeople and their employers, coordinate with aid societies to allocate food and medicine, provide legal

support, offer military protection, and many other tasks besides, schooling was a tangential part of the Bureau's initial mission.[8] Lacking revenue and led by Oliver Otis Howard, a general with strong connections to Northern religious organizations, the Bureau's priorities came to quickly align with the goals of missionary groups already at work in the South. And their chief priority was education.[9]

Reticent to commit to a long-term aid organization, after the Bureau's 1865 formation Congress debated its continuation in 1866, 1868, and 1870. Each time, members of the legislature became more concerned that direct material aid would render the freedpeople "idle" and dependent on the government.[10] Each time, education emerged as a more viable alternative, a way to fulfill a moral obligation while still placing the burden on individual freedpeople to prove their worth. As educational historian Ronald E. Butchart laments, freedpeople had just been "set free in a vengeful, vindictive society." "They needed land, protection, and a stake in society. They needed and demanded meaningful power. They were instead given a school."[11] By 1872, Congress concluded that even this responsibility could be handled without a federal role, ceding the Bureau's remaining educational work to benevolent organizations. Seven years after the passage of the 13th Amendment, the Bureau came to a close.[12]

The Freedmen's Bureau debates offer a revealing antecedent to a modern educational imaginary in which schooling provides policymakers' default response to many difficult social problems.[13] As Tracy Steffes argues, while early 20th century Europeans constructed social welfare states to directly intervene in problems of public health, poverty, and inequality, the United States turned to its schools to address the same challenges of industrialism.[14] In the century since, schools have been enlisted to fight in a

War on Poverty, to mitigate drug usage, and many other problems besides.[15] Gradually, education has emerged as an alternative to confronting material challenges of poverty and hardship that burden children early in life. As contemporary reformers like Michelle Rhee insist, "regardless of [a] child's circumstances, when they get to a good school in front of a terrific teacher, they can learn."[16] This argument holds mass appeal in a nation committed to notions of individualism, meritocracy, and "equal opportunity." Ultimately, it places the final burden for learning on the individual child, and in so doing sidesteps the concerns of those wary of giving "handouts" to the supposedly "lazy."[17] To this day, the federal government still relies heavily on extra-governmental organizations to uphold this ideology, providing funding to independently-run non-profits like Teach For America that continue in the missionary tradition of Freedmen's Bureau educators 150 years ago.[18]

In the "long march" to an American reliance on education as the answer to intergenerational economic and social problems, the debate over the Freedmen's Bureau locked Congress in a protracted struggle over the best means of assisting those mired by hardship, hunger, and hatred. In navigating the moral dilemmas and humanitarian devastation confronting the freedpeople, Congress had many options. They followed the path of Armstrong. They emphasized education, and in so doing reified what Saidiya V. Hartman calls the "burdened individuality of freedom" thrust upon former slaves.[19] I aim to discern what made this rhetoric of education so compelling to Congress—and why it so often goes without saying today.

I argue that part of education's allure was its malleability as a way for Americans to interpret other people's dispositions. It offered a way of reading into freedpeople's

mental states to impart a range of assumptions about their readiness for civic participation. In making this argument, I am running counter to rhetorical scholar Robert Asen's claim that dispositions are inherently resistant to ascriptive forms of exclusion. In his view, focusing on the "how" rather than the "what" of citizenship allows for a diversity of modes to undergird the same civic act, rather than subsuming all behaviors to a single ideal of citizenship. Dispositions have this quality because, he says, they cannot be directly accessed or ascribed; they "cannot be empirically verified," because "[h]uman potentiality, intelligence, and collegiality cannot be verified as elements of our physical world."[20] Philosophically, I agree with Asen's effort to escape ascriptive, boundary-drawing limitations on the exercise of citizenship. But I am concerned that his perspective risks disregarding the ways in which interpreting others' dispositions can function as an exclusionary practice. As Kenneth Rufo and R. Jarrod Atchison argue in a valuable critique of Asen's argument, interpreting dispositions always entails making a "post hoc divination… of private motivations." It involves judging another mind according to "a bramble of presuppositions woven from [the interpreter's] various ideologies."[21] It is easy to find evidence for their critique.

American culture has always embraced certain hermeneutics of reading others' mental states, and these ways of evaluating civic behavior have frequently functioned to rationalize many more overt types of civic exclusion. After the Civil War, James P. Salazar writes, Americans began accepting a person's "character" as having a "plastic" quality, capable of being shaped through habit and effort. In turn, Americans interpreted these forms of inner character through external manifestations of behavior and physical characteristics.[22] This malleable notion of character converged with an emerging

"ideology of literacy," which treated a person's schooling as a shorthand for preparedness and earning capacity.[23] In this culture, a person could read into just about any behavior enacted by another person and interpret it as resulting from a deficiency of learning. When Armstrong critiqued former slaves' immorality, laziness, and negligence, he was enacting this sort of interpretation. In so doing, he justified scaling down material assistance, shifting burdens of survival onto former slaves themselves.

During Reconstruction, the ambiguity of "education" afforded congressional leaders a way of undergirding behavior-centered notions of citizenship. As Judith Shklar writes, in the postbellum period "the link between work, democracy, and public education was forged into a coherent ideology."[24] In part, I argue, this happened because education offered the "how" to an array of "whats." Underpinning a litany of prospective mental states, education could be framed as a psychological corollary to, and prerequisite for, otherwise indistinguishable activities of civic participation such as earning and voting. For earning, education offered an adjunct to prominent conceptions of work ethic, conferring dignity on empirically identical practices of labor. As Lincoln argued in 1859, education provided the "natural companion" of the Republican Party's "free labor" philosophy.[25] Regardless of one's station or form of work, education could infuse it with meaning and value. In turn, education predicted whether one's labor would result in "*thorough* work" or "careless, half performed, slovenly work"—an evaluation that would, of course, be up to the judgment of an outside interpreter.[26]

For voting, "education" offered an ever-shifting set of criteria for casting a ballot competently. In Michael Schudson's historical account of the shifting ways Americans have enacted citizenship, Reconstruction represented a moment of flux between an era

characterized by party participation and another based on inwardly-directed concepts of "informed citizenship."[27] In this transitional moment, "education" meant many things, and each could be cited as a rationale to delay access to the vote. Invoked to underpin literacy, loyalty, morality, civility, and industry, "education" provided radicals a means to nimbly negotiate the competing exclusions demanded by a broad and fractious constituency across the North. Unlike conceptions of civic exclusion based on the metaphor of "bordering" or drawing "boundaries," I suggest education played a more nebulous role in shaping postbellum citizenship.[28] As a disposition, education was characterized by its "uncontrollable and unruly" quality, molded and redefined as political circumstances demanded.[29]

In this chapter, I argue that members of Congress performed a dual maneuver to justify a federal withdrawal from offering assistance to former slaves. First, members of Congress situated education as a dispositional prerequisite for freedpeople's civic participation as both earners and voters. This displaced the obligations of citizenship onto freedpeople while also introducing a logic of deferral that justified their exclusion until an undefined future horizon line of "worthiness." Second, as the debate wore on, members of Congress also fostered a rhetoric of educational availability, offering a compelling narrative of how philanthropies and missionary groups could spread public schooling to freedpeople without any federal involvement. Though Bureau supporters attempted to maintain the agency's educational operations into the 1870s, ultimately they acquiesced to a vision of the agency as primarily voluntary and philanthropic, rather than a coordinated effort of the federal government. Valorizing the Bureau's educational

works while downplaying its support from federal tax dollars, they both upheld the civic prerequisite of education and dismissed the government's obligation to provide it.

In the analysis that follows, I analyze first how education emerged as a crucial component of freedpeople's dignity as earners and self-sustaining citizens during the 1866 debate. I then trace Bureau debates from 1866 to 1870 to highlight the shifting relationship of education to enfranchisement, exhibiting how they together formed a mutually-reaffirming rhetoric of duty and deferral. Turning finally to the 1870 debates among members of the Committee on Education and Labor, I demonstrate how congressional leaders ultimately abdicated responsibility for education entirely onto outside philanthropies. I conclude by reflecting on how the discourses of disposition and deferral shaped the fate of the Bureau, and how vestiges of this discourse still persist in America's educational imaginary.

"They Will Soon Become Self-Sustaining": Education and Earning, 1866

"My heart ached for our beneficiaries," General Howard would later write.[30] Of all of President Andrew Johnson's overtures to the former Confederates during the brief period of Presidential Reconstruction, the most devastating for former slaves was his decision to return confiscated lands in the South to their former rebel landowners. Through this decision, the Bureau lost the ability to generate revenue through land sales. The radicals lost their best hope of distributing land tracts to the freed. Worst of all, thousands of freedpeople had to sacrifice the lands on which they had already begun laboring and forming communities.

Traveling to Edisto Island, South Carolina, Howard addressed a large assembly of freedpeople to inform them of the changed policy. As he recalled in his *Autobiography*,

"their eyes flashed unpleasantly, and with one voice they cried, '*No, no!*'"[31] Since the first slaves were freed, philanthropists had distributed pamphlets to demonstrate former slaves' work ethic, capability, and intellect.[32] Read alongside these narratives, Howard's description of the devastated freedpeople on Edisto Island tugged at the heartstrings of a Northern society committed, in theory, to the "right to rise."[33] Through no fault of their own, the ladder was kicked out beneath those who had, Howard wrote, "in good faith occupied and cultivated the farms guaranteed to them by the provision and promise of the United States."[34] With the Bureau set to expire a year after Appomattox, Congress began discussing its renewal in 1866 with questions of "provision and promise" weighing upon them. For many, the nation still had a fundamental responsibility to provide for the freedpeople against starvation, illness, and violence. But most in Congress refused to commit to freedpeople's welfare over the long term, due to combined apprehensions toward federal expansion and inculcating idleness.[35] As Congress debated laws, courts, land, rations, and military protections as the best way to make freedpeople self-sustaining, education emerged as a compromise. Dispositionally prior to other forms of aid, education met the radical demand to do *something* while sidestepping concerns about fostering dependence.

The original language of the Bureau renewal bill Lyman Trumbull of Illinois introduced to the Senate represented an ambitious expansion of the agency's activities. To prevent manipulation and violence from whites, it introduced a system of military-operated courts that superseded civilian legal systems in the South. For the "suffering and destitute," it offered "provisions, clothing, fuel, and other supplies." The language enabled the government to "provide or cause to be built" schools and health facilities. It

provided "three million acres of good land" in the South to be rented to former slaves and protected by military officials. It did all of this without a definite end date, "until otherwise provided for by law."[36] The defenders of the bill framed this scope as part of a moral or humanitarian responsibility.[37] Trumbull attested that the federal government had an obligation "to look after a large class of people who… would have perished but for its fostering care and protection."[38] William Pitt Fessenden of Maine stressed the freedpeople's total absence of intergenerational wealth.[39] Senator Timothy Howe of Wisconsin contended that the military service of freed slaves played a pivotal role in the Union victory, and the government owed them in kind.[40] Henry Wilson of Massachusetts stressed that former slaves faced "a hostile community" already passing laws to "make the freedman a peon or a serf."[41] Some, like Wilson, tethered their arguments to the economic stability of the postbellum South. Some, like Fessenden, stressed the stability and safety of the region. But the Bureau's proponents concurred that the nation would be abandoning a grave responsibility to prevent bloodshed, sickness, and starvation. Rebutting those who challenged the constitutionality of providing tax dollars the Bureau, even the moderate Fessenden deferred to the transcendent demands of the moment. "It is a thing to be done… that the Government and country must provide for, and there is no other way of doing it."[42]

This moral argument met challenges predicated on a combined opposition to federal expansion and fears of rendering the freedpeople a permanently dependent class. Critiques of federal overreach, shared by Democrats and conservative Republicans alike, stressed the unclear jurisdiction of the Bureau, the usurpation of local authority by military courts, and the expansion of federal expenditures.[43] These critiques of the Bureau

led seamlessly into a view that the freedpeople would become perpetual wards of the state, forever beholden to federal tax dollars. While this concern was widely shared, members of Congress expressed divergent explanations of why freedpeople were at risk of becoming dependent, which inflected their willingness to turn to education as a form of aid. Generally, the most conservative Republicans and Democrats adhered to an essentialist notion of black people as subservient and inherently incapable of sustaining themselves.[44] As James A. McDougall of California put it, blacks only had "ability in a certain way." Though they possessed physical strength and "imitative powers," McDougall explained, even a most intelligent black person like "Fred Douglass" could not truly aspire to be a "grave, careful, considerate, and high reasoning man."[45] Without the direct pressure of an employer or the immediate fear of starvation, this position assumed, black people could not be trusted to become self-sufficient. As Garrett Davis of Kentucky bluntly stated, "[a] negro will never work when he can keep soul and body without work."[46] Like other blatantly racist sentiments uttered throughout the debate, this claim ascribed a clear ceiling for black potential.[47] Davis's speech went on to list an array of forms of aid that he claimed would render the freedpeople dependent. Tellingly, right alongside "poor-houses" and "subsistence," he listed "school-houses" and "school-teachers."[48] In a conception of racial difference that strictly bounded black intellectual capacity, he rejected outright the notion that providing schools would do anything meaningful for a group incapable of self-help.

Education emerged as a compromise position during the Senate debate, in part, because it offered moderates a way of discussing black inferiority that did not depend on asserting innate, biological inequality. As Eric Foner writes, moderate Republicans'

anxieties about fostering dependency derived less from racial essentialism than from a view that "'gifts' would deaden the very spirit of enterprise and ambition for material advancement that animated free labor, white or black."[49] For instance, rebutting Davis, Waitman T. Willey of West Virginia attributed freedpeople's "idleness" to the stifling effects of slavery. Given "a hope of improvement in their condition," he argued, "that idleness, to some extent at least, will pass away."[50] Taking this stance on racial potential, moderate Republicans disentangled education from other forms of aid, asserting its unique status as an *enabler* of self-sufficiency rather than another mode of creating dependency. Most assertively, Trumbull posited schooling as a way of alleviating freedpeople's problems without a dramatic federal commitment. "The cheapest way by which you can save this race from starvation," he asserted, "is to educate them. They will then soon become self-sustaining."[51] Rather than dismiss black potential outright, this position asserted the equality, *in principle*, of black and white minds. All people, Trumbull insisted, could eventually gain education, "that principle which the great Author has implanted in every human breast."[52] At the same time, Trumbull's argument, predicated on reshaping the minds and character of freedpeople, also assumed a logic of deferral. As he argued, "[o]ur laws are to be enacted with a view to educate, improve, enlighten, and Christianize the negro; to make him an independent man; to teach him to think and to reason."[53] While this statement proclaimed black potential, it implied, at the same time, that freedpeople were *not yet* enlightened, Christian, independent, thinking, or reasoning.[54] Trumbull had shifted the focus from freedpeople's skin to their mental state, but the argument still included a built-in rationale for inclusion. This maneuver allowed

Republicans to assert blacks and whites as "created equal," but left room for conceding racial deficiencies based on an array of ambiguous "educated" dispositions.

The renewal bill passed the Senate with wide support from moderate and radical Republicans.[55] In the House, it returned to Thomas D. Eliot of Massachusetts, the Representative who had first proposed the Bureau in 1864.[56] With genteel roots in Boston, Eliot shared many of Charles Sumner's sentiments about the institutional powers of education. These commitments ran in the family; his brother, William Greenleaf Eliot, had in the previous decade advocated for common schools and founded Washington University in St. Louis.[57] Given these roots and the shape of the Senate's debates, Eliot embraced the educational arguments that so compelled his colleagues in the other chamber. To be sure, Eliot made clear the nation's moral responsibility to provide broader forms of support. To justify the Bureau's court system, he read about the injustices of the "Black Codes" implemented in Southern states. To defend its provisions for shelter and protection, he cited the violence perpetrated against freedpeople: "houses have been burned and negroes have been murdered."[58] But these sentiments were overshadowed by a prevailing concern about freedpeople's education for self-sustenance. Early in his first speech advocating the bill, he praised General Howard's insistence "that while the freedman should understand that he was truly free, he should not, if he was able to work, entertain the thought that the Government… was disposed or intended to support him in idleness."[59] Tracing the tumultuous first year of the Bureau's existence, Eliot chronicled that the Bureau quickly focused its attention on advancing "the moral and intellectual condition of the freedmen" by "avail[ing] itself of the experience gained before its organization by the benevolent associations."[60] Echoing Trumbull, he asserted

the Bureau's capacity to transform dispositions through schooling, in turn dictating the freedpeople's worth and station. "The slave becomes freedman, and the freedman man, and the man citizen."[61]

Through the tragic experience of the communities of freedpeople at Edisto Island, Eliot made a potent case for the paramount role of education in guaranteeing former slaves' cultivation of autonomy. Closely associated with missionary organizations, he had procured a letter from an "earnest, intelligent, and cultivated" missionary teacher who, like many other New England women, traveled from Massachusetts to work with former slaves. After the heart-wrenching visit from General Howard, the teacher recalled the freedpeople bemoaning their lost opportunity. "Their longing is to have a homestead," the teacher wrote, "and for this they are willing to work, paying a lawful price… poor things, where can they go?" Nonetheless, she stressed, the freedpeople still demonstrated a resolve to learn. Reading to them shortly thereafter from the Bible, she recounted,

> it was interesting to hear the old men apply the situation of the Israelites, after they were freed from their bondage in Egypt, to their own present situation; and my reading was often interrupted by questions or exclamations. How thankful I was that I was with them, and could in some slight degree assist them—leading them in the first steps of knowledge.[62]

In the debate over assistance to former slaves, Eliot's recounting of the sacrificial teacher's narrative mediated between moral responsibility and anxieties about idleness. The teacher's narrative conferred dignity on the freedpeople, even in a moment of despair, defining their worth by their perseverance to learn amid the loss of land and shelter. Her account offered assurances that freedpeople would become self-sufficient, so

long as someone was there to read to them. Though she lamented the loss of other, more material help, her account was dominated by her own benevolent, altruistic efforts to enable freedpeople's "first steps" on an indefinite journey. An adjunct to free labor, the teacher could quickly aid the freedpeople while requiring them to assert their own effort. If the government provided more teachers, the freedpeople could embrace their innate ambition to learn and, in time, become autonomous.[63]

Eliot's stress on generating autonomy would be essential to the bill's passage in the House. Even then, the bill only passed there with an amendment denying all material aid to any person deemed capable of working to avoid "destitution, suffering, or dependence."[64] And even with that revision, on February 19 the Bureau garnered a vitriolic veto from Andrew Johnson that blindsided Republicans in Congress.[65] A bold signal of his unwillingness to work with the legislature, Johnson's veto message declared the bill an instance of federal overreach, one that would prove "injurious alike to [freedpeople's] character and their prospects."[66] Ostensibly calling the Bureau a *de facto* reinstatement of slavery, Johnson argued that the bill would "practically transfer the entire care, support, and control of four million emancipated slaves to agents, overseers, or task-masters" of the federal government.[67]

Bureau proponents lacked the votes to override the veto in February, and the pressures of securing a two-thirds majority in both the House and Senate exerted considerable influence on the language of the bill. In early May, many Northerners were galvanized against Johnson's policies by the brutal murder of 46 freedpeople in Memphis, Tennessee.[68] But even with this surge in anti-Johnson sentiment, Eliot could only offer a substantially weakened bill in the House. Gone was the indefinite end-date;

the Bureau's activities were slated to end by July of 1868. Gone was the assertive system of Bureau courts. Foreshadowing a reliance on philanthropic organizations, the bill even stifled the federal government's ability to conduct education or build its own schools. Rather, the bill only allowed for the protection of school houses, and for General Howard "to cooperate with private benevolent associations of citizens" to assist in procuring teachers, lands, and educational resources "without cost to the government."[69]

Nonetheless, that the Bureau survived via an overridden presidential veto at all depended on the strength of the connection between education and autonomous labor. A dispositional adjunct to the worker, education offered policymakers the option to affirm or deny the dignity of freedpeople's worth based on indeterminate criteria. It allowed congressmen to say freedpeople were *on their way* to dignified labor, but not there yet. And yet, because the former slaves sought learning so vigorously, schooling was expected to work quickly, alleviating the government's burdens in short order. Despite the limitations of the 1866 renewal bill, education only grew as a concern for the Bureau over the next two years. Bureau administrators discovered loopholes that allowed the agency to still remain heavily involved in education, for example by "renting" school buildings from benevolent societies, while allowing the societies to continue using the buildings. In a roundabout way, this allowed the Bureau to provide federal tax dollars for teachers' salaries.[70] As historian Robert C. Lieberman writes, "[e]ven as other bureau functions were becoming less effective after 1867, the number of pupils in bureau schools continued to increase."[71]

By January of 1868, the report of the Bureau Commissioner would remark that "[t]he country and the world are surprised to behold a depressed race, so lately and so

long in bondage, springing to their feet and entering the lists in hopeful competition with every rival." It declared this success as true of "the whole colored population," despite noting in the same report that only 130,735 freedpeople were enrolled in schools out of the four million freed.[72] Already, education was taking on a mythic force. Even as school statistics suggested education was only available to a small percentage of the freedpeople, even amid a vast humanitarian crisis that rendered it impossible for many to pursue schooling, the coordinated missionary activities of the Bureau proved that "a vastly improved condition was within their reach."[73] It would take only a small shift in reasoning to place fault on the freedpeople when they did not attain that improved condition.

"The Judgment of the Citizen": Negotiating Schooling and Suffrage, 1866-1870

Speaking a few days after Abraham Lincoln's assassination, Frederick Douglass contradicted the late president's claim that only "intelligent" black men should be given the right to vote.[74] In Douglass's view, Lincoln had it all backwards. "By depriving us of suffrage, you affirm our incapacity to form an intelligent judgment respecting public men and public measures… and by this means lead us to undervalue ourselves." Rather than treat education as a prerequisite for voting, he argued, the right to vote would empower and inspire—it would provide a disposition conducive to education.[75] When freedpeople began voting in Southern elections in 1867, Bureau officials echoed the same theme as freedpeople cast ballots. "At the place of voting they look at the ballot-box and then at the printed ticket in their hands, wishing they could read it," Bureau Education Director John W. Alvord wrote. "Earnestly they desire, and silently they resolve, to become more intelligent… 'I want to know what is on the ticket myself,' said one to me."[76]

Much as Charles Sumner struggled to reconcile his support for schooling and suffrage, throughout the Freedmen's Bureau debates between 1866 and 1870 these two concepts conflicted with one another. Each held allure to moderates in Congress as a panacea for freedpeople's woes. In execution, each functioned as a way of displacing responsibility onto freedpeople, of upholding a myth of freedpeople's agency, even as their actual agency was impeded. Over the course of these renewal debates, I argue that a clearer relationship emerged between schooling and suffrage, one predicated on their competing temporalities. The former entailed development across time; the latter, an instant conferral of political influence. Particularly after impartial suffrage was conferred on black citizens, education and enfranchisement converged as an intricately related discourse of duty and deferral. Each became a way to rationalize denied access to the other, as education cultivated the necessary dispositions to vote, while voting imposed the responsibility to elect candidates who would support education.

The duel of panaceas became evident in the 1866 Freedmen's Bureau debate, as Republicans fought over which solution would most readily solve the freedpeople's woes. In the 1866 Bureau debate, the most assertive endorsement for voting came, strangely enough, from Senator and self-proclaimed former slaveholder John B. Henderson of Missouri. Decrying the entire Bureau as a waste of resources, he offered suffrage as a straightforward political alternative. Contending that "[t]his bill is useless" as a means "to protect the freedmen of the southern States," he implored his colleagues: "Give them the ballot… and then they are protected."[77] Once blacks had genuine political power, he speculated, "canvassers for public favor will find in the negro ten thousand merits that they never found before."[78] Henderson's faith in the power of the ballot

inspired a scathing rebuke from Lyman Trumbull. Remarking that "the zeal of my friend from Missouri seem to have run away with him," Trumbull compared Henderson to "the discoverers of patent medicines who have found a great specific to cure all diseases." Scoffing at his colleague's naïveté, Trumbull sarcastically mused that the ballot "will stop [the freedperson] from starving; that will feed him; that will educate him!"[79] Trumbull's demeaning response is revealing, in part, because the Illinois Senator had similarly touted education as a "cure all" for freedpeople's woes just days before. When he did so, no one in the Senate rose to accuse him of selling snake-oil. The disparate reception for these two panaceas is attributable, in part, to their different temporal consequences. In theory, the vote would be exercised instantaneously, bringing about a sweeping change in the voting population in a single election year. This blunt immediacy of the vote inspired vitriolic reactions from conservatives and anxieties from moderates.[80] Faced with the practical need to enfranchise freedpeople in the South but persistent opposition to black suffrage in the North, the Republican Party found it too bold, too risky, to immediately seek impartial suffrage.[81]

In contrast to voting, the allure of education was its capacity to defer the exercise of voting rights without rejecting the right to vote in principle. For instance, in a February 1, 1866 speech, Ohio Representative James A. Garfield upheld the principle of voting equality and established education as a prerequisite. "Until we are true enough and brave enough to declare that in this country the humblest, the lowest, the meanest of our citizens shall not be prevented from passing to the highest place he is worthy to attain," he argued, "we shall never realize freedom in all its glorious meanings."[82] It would be difficult to imagine a more assertive pronouncement on behalf of voting rights, especially

in 1866. Yet Garfield, who was in the midst of preparing his proposal for a Department of Education, went on to insert an academic caveat into the speech. "I will never," he declared, "so long as I have any voice in political affairs, rest satisfied until the way is opened by which these citizens, so soon as they are worthy, shall be lifted to the full rights of citizenship… [S]o long as I have any voice or vote here, they shall aid in giving the suffrage to every citizen qualified, by intelligence, to exercise it."[83] As a congressman, Garfield vacillated between embracing the radicals and moderates throughout his early years in Congress, and this coupling of boldness and patience reflected his unsure footing.[84] The key terms in Garfield's speech were the caveats set apart by commas, "so soon as they are worthy" and "by intelligence." Facing the question of whether education should precede enfranchisement, or vice versa, Garfield situated education first. The vagueness of "worth" and "intelligence" would, in turn, provide a malleable rationale for delaying the right to vote until an indefinite point in the future.

The fullest implications of education as a dispositional prerequisite were explored by idiosyncratic Minnesota Representative Ignatius Donnelly. He hailed from the elite, public Central High School of Philadelphia, described by educational historian David Labaree as "a model institution founded by zealots, which projected a high degree of ideological intensity and more than a hint of procedural extremism."[85] Declared the "School of the Republic" by its administrators, the school was awash in the many contradictions of meritocracy and egalitarianism that characterized antebellum schooling.[86] With the zeal of his schoolmasters, Donnelly carried a full-throated endorsement of education's capacity to shape dispositions to the 1866 Bureau debate.[87] Defending a bold proposal to add a system of common schools to the Bureau's charge, he

argued the schools would cultivate a broad array of dispositional traits that would undergird the exercise of voting rights. Scoffing at those who would immediately enfranchise blacks, he challenged the dogma that "the sovereignty of the country is the ballot." In his view, "there is something behind even this. There is the judgment of the citizen to direct the ballot. Hence the ballot itself, laws, policies, Congresses, and Presidents are but the formal expressions of that judgment."[88] In the ensuing speech, he defined "education" in a way that encompassed a vast range of dispositional traits. Education entailed *literacy*, as measured "by the proportion [of Southerners] unable to read and write."[89] It entailed *political decision-making,* as "if a man is to govern himself he should have the means to know what is best for himself, what is injurious to himself, what agencies work against him and what for him[.]"[90] It included *loyalty*, both to the Republican Party and to the Union, "for what man with a free, broad scope of mind, and with a knowledge of all the facts, can fail to love this just, benevolent, and most gentle Government?"[91] And it ensured the flourishing of "industry, prosperity, morality, and religion everywhere."[92] In defining the word "education," Donnelly broadly termed it "a means to an end—the intelligent action of the human faculties."[93] Education offered an unruly array of modes to accompany the singular civic act of voting. The "means" were whatever Donnelly needed them to be.

The wide range of education's dispositional potential enabled Donnelly to offer diverse justifications for delaying civic participation for blacks and whites alike. For the freedpeople, Donnelly linked school accessibility to a rhetoric of responsibility. Eschewing the Democratic assumption that blacks had an innately limited capacity to learn, Donnelly argued that providing education would allow a wait-and-see approach.

Let "his intellect, darkened by centuries of neglect, be illuminated by all the glorious lights of education," Donnelly implored. "If after all this he proves himself an unworthy savage and brutal wretch, condemn him, but not till then."[94] Ostensibly, Donnelly suggested that if the government made schools universally available to former slaves, those freedpeople would then be to blame for their own unseized opportunities.[95]

More forcefully, Donnelly invoked the ambiguity of "education" to justify delaying participation of whites and blacks across the entire South. Reading into the "*mind* of the South," he offered that blacks and whites alike suffered from ignorance, albeit of different kinds.[96] For whites, ignorance manifested as disloyalty; for blacks, as the lingering character flaws left by slavery. Because ignorance took a different form for each race, Donnelly argued, the route toward their becoming "educated" (and thus worthy of the vote) would be different. Whereas he expected blacks to enthusiastically embrace opportunities to learn, he expected Southern whites to be recalcitrant, responding only to the economic threat of educated blacks. Through freedpeople's education, then, the federal government could "strike out at one blow a large proportion of the ignorance of the South; we shame the whites into an effort to educate themselves, and we prepare thus both classes for the proper exercise of the right of suffrage."[97] Remarkably, Donnelly concluded that whites would embrace education out of prejudicial shame, then learn through that education to reject the very prejudices that inspired them to pursue education in the first place.[98] Such was the malleability of education as an explanation for, and solution to, the faulty dispositions of Southerners.

So long as the South remained in a state of military purgatory, Garfield and Donnelly's argument for education as a civic prerequisite cohered with Republican

policy. But when freedpeople in the South were guaranteed voting rights by the Reconstruction Acts of 1867, the implication was that they must, then, already be "worthy."[99] When the Bureau came up for renewal again in 1868, then, those hoping to completely end the agency's activity used the conferral of voting rights to catch Republicans in a contradiction. For instance, Kentucky Democrat Lawrence S. Trimble interrupted a speech by Eliot, asking him to "reconcile… two propositions: first, that the freedmen of the South are competent and qualified to control the destinies of these States… and secondly, that it is necessary for the Congress of the United States to tax the people for the support and care of those very refugees and freedmen."[100] Similarly, Democratic Representative Fernando Wood of New York questioned "the necessity of giving the freedmen instruction" in light of their newfound political powers. This defense of the Bureau, he argued, "implies that those people are entirely uneducated and ignorant, which, if true, they are unfit to make new State governments for the southern States" and participate otherwise in political life.[101]

Republicans struggled to address these accusations of contradiction, turning to the inherent loyalty of freedpeople as a rationale for their voting rights. Eliot, for instance, rejoined that the "bureau is doing all it can to qualify" the freedpeople as voters, before hedging on the thought that they were unqualified at all. "[H]ow is it they are unfit? Rebels are qualified because they are white. No matter how disloyal or how ignorant or how vicious, they ought to vote![102] Eliot's difficulty taking a stance on freedpeople's qualification for voting captured his bind. The 1868 Bureau bill focused exclusively on continuing the Bureau's educational work, largely on grounds of strengthening freedpeople's voting ability. If the rationale to allow freedpeople to vote was their built-in

loyalty to the Union, though, many believed there was no need to educate them further. The vote would be their panacea.

Between 1868 and 1870, as a constitutional amendment for suffrage became increasingly possible, Democrats and Republicans alike became more and more open to the notion of education as dispositional adjunct to the vote. For Democrats, embracing educational requirements allowed them to accept the right of black suffrage in principle while developing concrete strategies to delimit its actual exercise. The reversible relationship of schooling and suffrage rendered the absence of either a rationale for denying access to the other. As Democratic Representative Thompson McNeely of Illinois argued, "By his vote, [the black man] is able to tax the property of the white man and force him to educate his children."[103] If the freedpeople continued to go without education, their access to the ballot made it their own fault. If a freedperson could not pass a (supposedly impartial) literacy test to vote, though, the responsibility fell on him for not seizing educational opportunities. It was through this "equation of responsibility with blameworthiness," as Hartman writes, that legislators of Reconstruction situated exclusionary racial logics "in the very language of persons, rights, and liberties."[104]

Republicans, too, acquiesced to the notion of education as a prerequisite to the vote. Amid controversial allegations that they sought to use the Bureau to indoctrinate freedpeople as permanent party supporters, congressmen tempered their claims that freedpeople's "loyalty" made them inherently qualified.[105] During the debate over the 15th Amendment, many Republicans refused to abandon the possibility of educational requirements for the vote. Fearing the prospect of loopholes reifying racial exclusions under educational pretenses, Senator Henry Wilson offered a revision to the amendment's

language barring discrimination based on "race, color, nativity, property, education, or religious belief."[106] Though Wilson's language briefly received the support of the Senate, the final language of the bill made no mention of education, property, or the rest. Many Republicans, such as New Hampshire's Patterson, were simply too committed to the republican ideal of educated citizenship, attesting that "self-government is not possible until a people have advanced somewhat in civilization."[107]

By 1870, Douglass's demand for the ballot had been fulfilled, but only with the caveat of educational requirements he had so opposed. It is not incidental that, when the 15th Amendment passed on March 30, 1870, President Ulysses S. Grant made the atypical gesture of issuing a Special Message to Congress. Rather than commemorate the historic nature of the amendment, Grant primarily emphasized the need to expand access to education in its wake. Regarding Republicans' electoral fates as jeopardized by the specter of unintelligent supporters, Grant echoed George Washington's injunction for government to endorse "the general diffusion of knowledge." Careful not to overextend government commitments beyond "constitutional powers," he implored Congress to "promote and encourage" the ends of education. To ensure that black suffrage would be "a blessing and not a danger," he directed "the newly enfranchised race to the importance of their striving in every honorable manner to make themselves worthy of their new privilege."[108]

In Grant's words, as in the logic of many moderate Republicans, the logic of educational deferral persisted. Even with the declaration of voting rights in the Constitution, it was still incumbent on blacks to "make themselves worthy." And public education would become the institution through which that "worth" would be

conferred—in countless, indeterminate ways. Unable to back away from their commitment to education as a prerequisite for citizenship, in 1870 a group of radicals made a last-ditch effort to preserve the Bureau's educational efforts before they expired. By the end of that debate, more members of Congress than ever seemed ready to accept education as a prerequisite for political participation, especially for former slaves. But few remained willing to accept freedpeople's education as a federal responsibility.

"A Noble Band of Philanthropists": Displacing Federal Responsibility, 1870

On Mach 19, 1867, Republican William R. Koontz of Pennsylvania queried the House of Representatives about members' seemingly contradictory views on philanthropy. As colleagues resisted a provision to aid starving people in the South, Koontz compared the measure to a recent provision of two million dollars by Baltimore banker George Peabody to create a dedicated Southern Education Fund. "If acts of disinterested benevolence and charity render the name of an individual immortal, would they not lend imperishable honor and renown to a nation?"[109] In the debate over the Freedmen's Bureau in 1870, with the examples of the Peabody Fund and the American Missionary Association as points of reference, Congress resoundingly answered Koontz's question. Their answer was, ultimately, "no." Charitable organizations, they concluded, could take care of the poor and downtrodden just fine without the federal government's help. Historically tragic, this response overlooked the absolutely vital role the federally-funded Freedmen's Bureau had played in ensuring the finance, coordination, protection, and efficiency of Northern charities.[110]

Unfortunately for its defenders, from the start the Bureau was an ambiguous amalgam of efforts among federal, charitable, and political entities, with overlapping

officers, funding structures, and responsibilities.[111] As a result, its precise benefits were difficult to discern, let alone defend. This was especially true as members of Congress stepped on the brakes of government expansion at the start of the 1870s.[112] For the past five years, Congress had increasingly touted education as a necessary element of earning and voting. After the passage of the 15th Amendment, they performed the second part of their dual maneuver, shifting responsibility for freedpeople's education away from Congress, while downplaying the role of government in sustaining the Bureau's efforts to that date. Through an attempt to salvage the Bureau's educational efforts and a subsequent trial against General Howard, the responsibility and legacy of the Bureau were decided.

The same day as the 15th Amendment's ratification and President Grant's Special Message to Congress, radical Tennessee Representative Samuel Arnell offered a bill to perpetuate the Freedmen's Bureau's educational efforts by shifting its remaining funds, resources, and clerks to the recently-founded Bureau of Education.[113] He and fellow Republicans touted the bill as a necessary corollary to the expansion of suffrage. If former slaves were to vote, they needed to cultivate the dispositions of effective voters. Massachusetts Representative George Frisbie Hoar, perhaps the most outspoken educational advocate in the 41st and 42nd Congresses, justified the legislation as a moral corollary to the ballot. "[S]hall this Congress signalize the formal proclamation of the completion of their enfranchisement by turning its back upon the only scheme that any man has to propose for their enlightenment or education…?"[114] Before the Bureau's assistance, North Carolina Representative Oliver H. Dockery recalled, the freedpeople were "unaccustomed to the exercise of thought and care 'for the morrow.'"[115] They had

lacked the capacity to plan for their own futures, let alone that of the nation. Without the Bureau's continuance, he warned, there would be a decrease in efforts "to educate [freedpeople] in regard to the privileges and duties" ensured by the 15th Amendment.[116]

In calling to keep the Bureau's educational efforts alive under a government agency established to be permanent, these congressmen were calling for a theretofore unprecedented government commitment to education. Even fellow Republicans who supported education in principle were hesitant to maintain the Bureau's work in this way. Representative William Lawrence, a moderate Republican from Ohio, fretted that the bill "presents the question whether we shall embark in the general business of taking charge of the educational interests of the States."[117] He agreed in theory that educational access needed to become universal. But he did not think the federal government should be operating schools on a permanent basis.[118]

Thompson McNeely of Illinois took the lead in challenging his Republican colleagues, joining the "New Departure" effort of Democrats to offer affirmative, states' rights alternatives to ambitious radical programs.[119] Against the urgency of Arnell's proposal, he defined it as probable, even inevitable, that the freedpeople would quickly have access to education *without* any federal involvement on their behalf. In his view, the task could be taken on by three other groups. First, he counseled that, with patience, the states would meet their educational demands. Only five years had passed since the war concluded, he noted, and the rewritten "constitutions of the late confederate States contain provisions for the education of their people more liberal and more effective than can be found in the constitutions of the northern States." He conceded that change "seem[ed] to move forward too slowly," but suggested the work of freedpeople's

education would have surer foundations if handled by the states themselves.[120] Second, he stressed that the bulk of the Bureau's work had been handled by missionary associations, who would continue to zealously pursue educational efforts without the federal government present. Those agencies, he argued, could in fact accomplish far *more* if they were "free from any interference on the part of Federal officers acting under the pretense of 'cooperating' with them."[121] Finally, he stressed that freedpeople could be trusted to build and maintain their own schools. As evidence that the freedpeople could be left on their own, he made tokenistic reference to black men achieving the status of "legislator, supreme judge, United States Senator, [and] foreign minister."[122] And, of course, freedpeople now could vote to support their own schools. Unlike most Democrats to this point, who mainly opposed educational legislation on states' rights grounds, McNeely's argument accepted the importance of education to freedpeople's futures—and to their proper exercise of voting rights. Problematically for Republicans, McNeely had coopted the rhetorical force of education as a prerequisite for citizenship, while offering a vision that absolved the federal government from actually providing it.

McNeely's House colleagues rejected his alternative vision, passing Arnell's bill on to the Senate. There, despite several attempts to bring the bill to the floor for discussion, it languished without ever reaching a vote.[123] The failure of the bill guaranteed the phasing-out of the Freedmen's Bureau, including its work in education, within the next two years. But the members of the Committee on Education and Labor—including Arnell, Hoar, and McNeely—were not finished debating the Bureau quite yet. On April 6, 1870, the day after the House voted to pass Arnell's bill, long-time Bureau opponent Representative Fernando Wood of New York addressed fifteen charges of

corruption against Commissioner Oliver Otis Howard. While the main allegation concerned a questionable expenditure of government funds for building materials at Howard University, Wood tethered the claim to a wider conspiracy. Howard, he argued, was "one of a ring known as the 'Freedmen's Bureau ring,' whose… position has been to devote the official authority and power of the bureau to personal and political profit."[124]

From April through mid-July, the committee met almost daily in the basement of the House of Representatives hearing testimony regarding whether Howard overstepped his delimited authority as an agent of government. More to the point, the Bureau's status as a gradient institution blurring government and philanthropy was on trial, with Democrats aiming to draw the dividing line between the two spheres as sharply as possible. While the Republican-dominated Committee acquitted Howard of all wrongdoing, their justification tacitly accepted the dividing line drawn by their rivals. Their defense valorized the Bureau's legacy, but did so by defining it as a charity rather than a government agency. In turn, they upheld the premise that education ought to be administered, funded, and evaluated by extra-federal authorities.

The Democratic charges against Howard aimed to demonstrate the bleeding of political motives into the activity of supposedly apolitical missionary associations. During one line of questioning, for example, Wood pressed American Missionary Association (AMA) Secretary George Whipple to concede that the AMA received direct donations from the Bureau, and that Bureau funds directly financed partisan and religious AMA newsletters.[125] The minority report penned by McNeely continued in this vein, alleging collusions between Howard, his financial interests, missionary associations, and the Republican Party. Whereas Republicans painted the AMA and other associations as

innocuous, benevolent bands of educators, McNeely argued that an insidious conspiracy was afoot, one corroborated by the partisan leanings of the *American Missionary* and the evangelical zeal of its teachers.[126] Through nefarious funding tactics that violated the letter of the law, he claimed, "Emissaries have been dispatched to the South with the Bible in one hand and the purse in the other." "[U]nder an avowed object of teaching [the freedperson] his political rights and duties," McNeely continued, "he was drilled into a voting machine, and made tributary to the aspirations of those who said they came to enlighten him."[127] Through these disreuptable agencies, he continued, the Bureau had, "in the name of humanity and Christian philanthropy… first misled, duped, and debauched, and then swindled the ignorant negroes whom they pretended to befriend."[128] More than an attempt to paint the Republicans as corrupt, the Democrats implied that the federal government could not aid or coordinate the efforts of benevolent associations without implicating them in the impurities of politics. The line between government and civil society had to be drawn clearly and distinctly, or it would cease to exist altogether.

The Committee's majority report, authored by Arnell, countered McNeely's statement by privileging the role of philanthropy in the Bureau's efforts. Imbuing General Howard with the qualities of Christian charity, the Republicans posited the inherent benevolence of missionary organizations as a force that permeated the Bureau. From the start, Arnell asserted, the Bureau was conceptualized as a uniquely apolitical part of the government. Congress recognized that "the duties of the Freedmen's Bureau are too important to be associated in the public mind with anything of a partisan nature," so the Commissioner's position was located outside the purview of the Cabinet.[129] Mindful of this, Arnell argued, Lincoln selected Howard as a paragon of benevolence. Widely

known for dedicated military service and losing his right arm at the battle of Fair Oaks, Howard was reputable "as a Christian gentleman… [with] the esteem of the humane and benevolent portion of the public, upon whose confidence and co-operation his success was largely to depend."[130] Repudiating the conspiratorial charge of a "Freedmen's Bureau 'Ring,'" Arnell depicted the philanthropic thrust of the whole Bureau as an extension of Howard's character:

> The 'ring,' sneeringly so called, with which [Howard] was connected, was a noble band of patriots and philanthropists, of missionary associations, of educational institutions, of learned and eminent divines, of devoted and benevolent men and women, who were willing to leave the comforts of home, and the society of relatives and friends, for the purpose of carrying the lights of education and religious instruction among the newly enfranchised people of the South.[131]

Importantly, Arnell's argument did not defend the involvement of government in benevolent efforts. The Bureau's significance had nothing to do with federal funds or government agents, and everything to do with self-sacrificing missionaries, heroic teachers, charitable donors, and the Christian General. The Freedmen's Bureau was a product of the benevolent wills of the North, from its Commissioner to the noble teacher in the classroom. To defend the Bureau from allegations of government corruption, Arnell and his colleagues defined it as outside the government altogether.

While downplaying the Bureau's legacy as a successful program of federally-funded philanthropy and assistance, the Republican statement also upheld the logic of education as a prerequisite to proper citizenship. Before the Bureau, Arnell wrote, the "[f]our millions and a half of people, lately dependent as children," were "unaccustomed

to judge or act for themselves." The intervention of the Bureau managed to reconfigure their dispositional states, lifting the former slaves up from their prior "ignorant and degraded" status.[132] The Bureau "taught [the freedpeople] to appreciate the blessings and aided in establishing the institutions of education," Arnell asserted, and "[i]n this way only could the great constitutional boon of political equality be conferred on them with safety either to them or the great body of the American people."[133] Howard's chief accomplishment had been "making [freedpeople] self-relying and responsible citizens" who embraced free labor, rejected charity, and pursued education.[134] Arnell's insistence that the Bureau's chapter in history had closed—that "with God on its side, the Freedmen's Bureau has triumphed"—downplayed the vast humanitarian crisis and educational disparities that persisted in 1870.[135] More troublingly, the report tacitly accepted that *before* the Bureau arrived to bestow intelligence, freedpeople did not deserve to exercise rights as citizens. Ultimately, the Republican defense of the Bureau's legacy concluded that the freedpeople needed to "make themselves worthy," but downplayed any federal role, past or future, in making that "worth" accessible.

In the decades that followed, the agencies McNeely predicted would provide for the learning of freedpeople and their children faltered. The states, infamously, embraced the separate and unequal policies of Jim Crow. The further the Civil War receded from memory, the fewer enthusiastic missionaries and donors could be found to assist former slaves.[136] Black communities themselves did, indeed, sacrifice immensely for their own education, fighting through poverty to finance schools that received few tax dollars.[137] A federal agency would have been a tremendous help in meeting the unfair, ambiguous, shifting burdens of becoming "educated." By the end of 1872, no such agency existed.

“The Completion of Their Enfranchisement”: Dispositions and Deferral

In a schoolroom in Danville, Virginia on New Year’s Day in 1868, Bureau agent George Dixon gathered a group of freedpeople to hear their reactions to Eliot’s query about the future of the agency. “There was great alarm expressed at the prospect of its being discontinued,” he recounted. The freedpeople unanimously agreed to a resolution requesting its continuation until an equitable civil government could be established in Virginia. “Our former owners have little sympathy with us, and shew no disposition to elevate us,” they lamented, “but, on the contrary, with high rents, low wages, frauds in trade, violations of contract, and partiality in administering the laws, still continue to oppress us; and it is only through the Bureau we can get such grievances redressed.”[138] From 1865 to 1870, these material, legal, and security concerns of former slaves were rapidly eclipsed by an insistence on education. To be sure, education helped. As W.E.B. DuBois writes, the Bureau’s educational efforts played a crucial role in creating public schools, normal schools, and colleges, providing one of the few “footholds” for freedpeople and their children in the Jim Crow South.[139] But schools alone were not enough, and even support for those subsided too quickly. I have argued here that the turn to education stemmed, in large part, from its malleability as a dispositional adjunct to concrete acts of citizenship. As Congress deliberated countless solutions to the threats and crises facing freedpeople across the South, education emerged as a way to cultivate dispositions of self-sufficiency and perseverance despite material obstacles. Likewise, as the right to vote was conferred on black men—first in the South, then through the 15th Amendment—the language of education as a civic prerequisite became increasingly accepted among radicals and moderates. As education became the primary source of

freedpeople's aid, the responsibility for that aid shifted from the federal government to external agencies. Together, these two shifts in congressional discourse rationalized the delimitation and gradual dissolution of the only major philanthropic endeavor offered to former slaves after Emancipation.

In part, I have highlighted here how education functioned as a discourse of dispositional evaluation and exclusion during Reconstruction. My approach to analyzing educational exclusion has differed from, and offers a necessary corollary to, those scholars who identify strong strands of "inegalitarian ascriptivism" and practices of racial and cultural "bordering" in American public life.[140] It is true that Americans have always constructed overt, blatant legal and social exclusions without any basis but xenophobia based on anthropological or cultural difference. In crafting his "Discourse Theory of Citizenship," I think Asen offers a different way of imagining civic participation that helps to mitigate a reliance on such clear-cut civic criteria. But, as the Freedmen's Bureau debates illustrate, overt forms of exclusion have an insidious way of becoming reformulated as less blatant discourses. I do not think it incidental that, as *de jure* political rights expanded for black citizens, members of Congress turned to the malleable, unruly realm of inaccessible mental states to rethink their exclusion. In many ways, their shift in the Bureau debate anticipated the dark side of the Progressive Era concern for "informed citizenship" that accompanied the emergence of education systems at a national scale, with often inegalitarian consequences.[141] Asen argues that the move toward "informed citizenship" was problematic in that it placed absurd burdens on citizens. "Practicing citizenship," he says, "does not require perfect knowledge."[142] As I see it, the issue is not just the demand for perfect knowledge, but the sheer diversity of educational criteria that

can be demanded. "Education" was a deeply ambiguous term during Reconstruction and the Progressive Era alike. To this day, a person can be classified as "educated" in many ways. Rhetorical scholars are in no way immune to harnessing this unruly potential of education to define groups of people as civic outsiders, even inadvertently. As Rufo and Atchison document, scholarship in rhetoric disconcertingly employs the term "citizen" as a catch-all for the disengaged, the unreasoning, the apathetic, or the ignorant. In Ancient Greece, they note, the equivalent term was "idiot."[143]

By focusing on many dispositions as "essential" to citizenship, the Reconstruction Congress offered a malleable rationale for shifting the burdens of survival and sustenance onto freedpeople. By 1871, even Henry Wilson, who tried to eliminate educational loopholes from the 15th Amendment, had embraced the position that "the paralyzing and brutalizing influences of slavery" ensured that freedpeople's ballots would not be "any better than the 'throw of a die.'"[144] Rather than an altruistic endeavor in itself, or a means of political empowerment, education was regarded as a means to the end of relieving the federal government from further aid.

As the Bureau's charge from Congress narrowed to emphasize promoting self-sufficiency, so, too, did its pedagogical emphasis. In 1867, John Alvord had written with glee of freedpeople's ambitions for learning to make thoughtful decisions and cast a ballot. By 1869, he tempered such talk of politics. Freedpeople should aspire to "be a producing class," working toward manhood, morality, and practicality. If this were accomplished, Alvord argued, "[p]olitical and social questions would then take care of themselves."[145] Agents issued circulars and met with groups of freedpeople to coach them on labor contracts, admonishing them that "[t]he State cannot and ought not to let

any man lie about idle, without property, doing mischief."[146] In the schools, missionary teachers taught variations of Horatio Alger stories to accustom the freedpeople to the aspirational dignity of hard work.[147] In time, schools like Armstrong's Hampton Institute disseminated an ideology of manual labor and knowing one's proper station to freedpeople's schools across the South.[148] The Bureau's pedagogical emphasis perpetuated Congress's concern that freedpeople would gain dignity, rights, and the capacity for political participation too quickly. The very education endorsed to make them "worthy" reinforced the discourse of deferral, reminding them at each step they were not yet ready.

The discourse of dispositional evaluation, too, allowed for an equivocation of black and white Southerners that obfuscated crucial differences in their respective situations. From the moment it began, the Bureau had been decried by its opponents for offering "unequal" benefits to one group of people over another. By setting "Refugees" and "Freedmen" side by side, the official title of the Bureau reflected this disagreement. In turn, the schools and other benefits of the Bureau were available to displaced whites and blacks alike, although in practice freedpeople were the main beneficiaries.[149] Education contributed to this logic of equivocation, providing a way to discuss whites and blacks as guilty of the same ill of ignorance, albeit in different ways. In subsequent debates over the Bureau of Education and Hoar and Perce Bills for national education, this appeal would gain wider use as a way of cutting across racial distinctions in the South. On one level, this was problematic because it practically obfuscated emerging differences between black and white school systems in the South. Conjoined with the rhetoric of "separate but equal," it allowed for a single rhetoric of "universal education"

to be used in defense of two wildly different systems for white and black students.[150] On another, more fundamental level, by reducing the challenges facing both races to a single solution, it obfuscated the very real threats that blacks faced dramatically more than whites. As Eliot attempted to argue in 1866, "there is not one State where these [white] refugees might not perhaps live in comparative safety if this bureau is withdrawn... But this is true, that there is not one rebel State where these freedmen could live in safety if the arm of the Government is withheld."[151] With the scaling down of the Bureau's system of courts, the protection of the military, and the presence of armed Bureau agents in communities of the South, these threats of violence only grew. Schoolhouses, targeted at shaping long-term dispositions of white and black children alike, did nothing to halt white brutality in the short term.

The rhetoric of the Freedmen's Bureau debate also illuminated the growing role of extra-governmental agencies in upholding the myth of educational meritocracy. As Judith Shklar notes, a persistent 19th century dilemma was that the survival of "less government" seemed to require "*free* education," yet it was difficult to promote free education without expanding government.[152] The rhetoric of the Bureau debates provided a way around this seeming bind. Members of Congress valorized the efforts of those who sacrificed for education, extoling it as something so inherently meaningful that people would give up their time, energies, finances, and even their lives to spread education. Pinning individual educational responsibility on a person required that they be at least *perceived* as having access to schooling. Organizations like the AMA and Peabody fund helped cultivate that perception—even while, in reality, they were far from actually making educational access universal. Beyond the difficulties these organizations had

coordinating and sustaining efforts without steady funding sources, their giving also had an arbitrary quality that made it difficult to rely on for consistent support. As a biographer of George Peabody noted, “Even deserving charitable institutions got nothing from him if they asked for it. He gave only as the mood took him; and it may be safely said, that all his benefactions were the spontaneous outgrowth of his own ideas of what the world needed.”[153] For Peabody, as for countless philanthropists since to embrace a “Gospel of Wealth,” a preference for education over direct aid reflected an ideological concern with rendering people self-sustaining that often ignored people’s more immediate needs. When Arnell and his fellow Republicans defined the Bureau’s legacy in a way that privileged the work of philanthropists more than the work of the federal government, they contributed to this myth’s development.

In contemporary education reform, there persists a reliance on extra-governmental efforts as a way to uphold meritocratic myths while sidestepping concrete federal efforts. Organizations like the Gates Foundation, Broad Foundation, and Walton Family Foundation exert massive influence in school reform, promoting organizations like the KIPP network of charter schools and modern incarnations of missionary teaching programs like Teach For America and The New Teacher Project.[154] Supporting policies that intervene in, and often destabilize, locally-funded public schools, these projects do more to obfuscate the inegalitarian realities of existing systems than actually change them.[155] Today, Americans tend to take for granted the outsized role these charities play in dictating approaches to education and rationalizing an absence of direct taxpayer funding for schools. But 150 years ago, Congress vigorously debated this subject, revealing the tensions and controversies that still inflect discourses of educational

responsibility. The compromises they made, the duties they deferred, shaped something of the way Americans imagine education now.

In 1865, Frederick Douglass critiqued the Northern emphasis on benevolent assistance as a chief means of assisting freedpeople. "I look over this country at the present time, and I see Educational Societies, Sanitary Commissions, Freedmen's Associations, and the like,—all very good: but in regard to the colored people there is always more that is benevolent, I perceive, than just, manifested towards us." Demanding the ballot and government interventions concerned with more than just offering charity, he insisted to the nation: "What I ask for the negro is not benevolence, not pity, not sympathy, but simply *justice.*"[156] His admonition still holds weight today. America's benevolent concern for education, that great enabler of the individual, continues to supersede concerns for providing what is necessary, right, and just. In the educational imaginary, the disposition of the citizen precedes all else—and too often justifies doing nothing else.

Notes: Chapter Two

[1] Frederick Douglass, "What the Black Man Wants: Speech of Frederick Douglass at the Annual Meeting of the Massachusetts Anti-Slavery Society at Boston," in *The Equality of All Men Before the Law Claimed and Defended; in Speeches by Hon. William D. Kelley, Wendell Phillips, and Frederick Douglass, and Letters from Elizur Wright and Wm. Heighton* (Boston: Press of Geo. C. Rand & Avery, 1865), 39.

[2] James D. Anderson, *The Education of Blacks in the South, 1860-1935* (Chapel Hill: University of North Carolina Press, 1988), 33-78.

[3] Samuel Chapman Armstrong, "Normal-School Work Among the Freedmen," in *The Addresses and Journal of Proceedings of the National Education Association, Session of the Year 1872, at Boston, Massachusetts* (Peoria, IL: N.C. Nason, Printer, 1873), 175.

[4] S.C. Armstrong, Agent, to Hon. T.D. Eliot, Washington DC, Dec. 30, 1867; Virginia File; Letters Received by Thomas D. Eliot, Chairman of the House Committee on Freedmen's Affairs, December 1867-February 1868; Records of the Bureau of Refugees, Freedmen and Abandoned Lands, Record Group 105; National Archives Building, Washington, DC.

[5] Histories of the Freedmen's Bureau consulted in this chapter include George R. Bentley, *A History of the Freedmen's Bureau* (New York: Octagon Books, 1974); Ronald E. Butchart, *Northern Schools, Southern Blacks, and Reconstruction: Freedmen's Education, 1862-1875* (Westport, CT: Greenwood Press, 1980); Paul A. Cimbala, *Under the Guardianship of the Nation: The Freedmen's Bureau and the Reconstruction of*

Georgia, 1865-1870 (Athens: University of Georgia Press, 1997); Douglas R. Egerton, *The Wars of Reconstruction: The Brief, Violent History of America's Most Progressive Era* (New York: Bloomsbury Press, 2014), 93-167; Donald G. Nieman, *To Set the Law in Motion: The Freedmen's Bureau and the Legal Rights of Blacks, 1865-1868* (Millwood, NY: KTO Press, 1979); Joe M. Richardson, *Christian Reconstruction: The American Missionary Association and Southern Blacks, 1861-1890* (Athens: University of Georgia Press, 1986).

[6] Charles Sumner, *A Bridge from Slavery to Freedom. Speech of Hon. Charles Sumner, on the Bill to establish a Bureau of Freedmen, in the Senate of the United States, June 13th and 15th, 1864* (Washington, DC: H. Polkinhorn & Son, 1864).

[7] As Donald G. Nieman writes, when Oliver Otis Howard assumed leadership of the Bureau he was warned by William Tecumseh Sherman that he could not "fulfill one tenth of the expectations of those who framed the Bureau" with the support provided. Nieman, *To Set the Law in Motion,* xvii.

[8] The Bureau merely served as a coordinator and protector of missionary education in its first months, gradually becoming an agency primarily concerned with schooling. Bentley, *History of the Freedmen's Bureau,* 87.

[9] Butchart, *Northern Schools, Southern Blacks, and Reconstruction,* 33-52.

[10] As Daniel T. Rodgers writes, "idleness" was the cardinal sin of the late 19th century United States. "[I]f property presupposed industriousness, the corollary followed almost unavoidably that poverty was proof of idle viciousness." Daniel T. Rodgers, *The Work Ethic in Industrial America, 1850-1920* (Chicago: University of Chicago Press, 1974), 223.

[11] Butchart, *Northern Schools, Southern Blacks, and Reconstruction,* 9.

[12] Bentley, *History of the Freedmen's Bureau,* 212.

[13] David F. Labaree, "The Winning Ways of a Losing Strategy: Educationalizing Social Problems in the United States," *Educational Theory* 58 (2008): 447-460.

[14] Tracy L. Steffes, *School, Society, & State: A New Education to Govern Modern America, 1890-1940* (Chicago: University of Chicago Press, 2012), 4-7.

[15] Carl L. Bankston III and Stephen J. Caldas, *Public Education: America's Civil Religion; A Social History* (New York: Teachers College Press, 2009); Henry J. Perkinson, *The Imperfect Panacea: American Faith in Education,* 4th ed. (Boston, MA: McGraw-Hill, 1995).

[16] Michelle Rhee, *Radical: Fighting to Put Students First* (New York: HarperCollins, 2013), xii.

[17] On the appeal of education as a balance of individualistic and egalitarian programs, see Jennifer L. Hochschild and Nathan Scovronick, *The American Dream and The Public Schools* (New York: Oxford University Press, 2003). For an example of how a discourse of a lazy, "deserving" poor persists in more contemporary arguments, see "Dethroning the Welfare Queen: The Rhetoric of Reform," *Harvard Law Review* 107 (1994): 2013-2030.

[18] For instance, Teach For America received over 100 million dollars in funding through several Obama Administration Race to the Top and Investing in Innovation programs between 2010 and 2015. Sara Mead, Carolyn Chuong, and Caroline Goodson, "Exponential Growth, Unexpected Challenges: How Teach For America Grew in Scale and Impact," *Bellwether Education Partners,* February 2015,

http://bellwethereducation.org/sites/default/files/Bellwther_TFA_Growth.pdf, 61. Likewise, in 2015 the Department of Education contributed over 157 million dollars to independently-run, publicly-funded charter school organizations. "U.S. Department of Education Contributes to an Improving Charter Schools Sector," *U.S. Department of Education,* September 28, 2015, http://www.ed.gov/news/press-releases/us-department-education-contributes-improving-charter-schools-sector.

[19] Saidiya V. Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York: Oxford University Press, 1997), 117-118.

[20] Robert Asen, "A Discourse Theory of Citizenship," *Quarterly Journal of Speech* 90 (2004):198.

[21] Kenneth Rufo and R. Jarrod Atchison, "From Circus to Fasces: The Disciplinary Politics of Citizen and Citizenship," *Review of Communication* 11 (2011): 207.

[22] James B. Salazar, *Bodies of Reform: The Rhetoric of Character in Gilded Age America* (New York: New York University Press, 2010), 5; 140.

[23] Lee Soltow and Edward Stevens, *The Rise of Literacy and the Common School in the United States: A Socioeconomic Analysis to 1870* (Chicago: University of Chicago Press, 1981), 58-62.

[24] Judith N. Shklar, *American Citizenship: The Quest for Inclusion* (Cambridge, MA: Harvard University Press, 1991), 75.

[25] Abraham Lincoln, "Address before the Wisconsin State Agricultural Society, Milwaukee, Wisconsin, September 30, 1859," in *The Collected Works of Abraham Lincoln,* vol. 3, ed. Roy P. Basler (Ann Arbor: University of Michigan Digital Library

Production Services, 2001), 480. On the ideology of "free labor," see Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (1970; rpt., New York: Oxford University Press, 1995).

[26] Lincoln, "Address before the Wisconsin State Agricultural Society," 481.

[27] It is noteworthy that Schudson spends little time on Reconstruction, turning quickly from the Lincoln-Douglas debates to the Gilded Age, only briefly addressing the transitory fluidity of the immediate postbellum period. Michael Schudson, *The Good Citizen: A History of American Civic Life* (New York: The Free Press, 1998), 144-145.

[28] For scholarship that discusses inclusion and exclusion in terms of "borders" and "boundaries," see Étienne Balibar, *Politics and the Other Scene,* trans. Christine Jones, James Swenson, and Chris Turner (New York: Verso, 2002), 76; D. Robert DeChaine, "Bordering the Civic Imaginary: Alienization, Fence Logic, and the Minuteman Civil Defense Corps," *Quarterly Journal of Speech* 95 (2009): 43-65; Julia R. Johnson, "Bordering as Social Practice: Intersectional Identifications and Coalitional Possibilities," in *Border Rhetorics: Citizenship and Identity on the US-Mexico Frontier*, ed. D. Robert DeChaine (Tuscaloosa: University of Alabama Press, 2012), 33-47.

[29] Asen, "A Discourse Theory of Citizenship," 192.

[30] Oliver Otis Howard, *The Autobiography of Oliver Otis Howard: Major General United States Army,* vol. 2 (1907; rpt., Freeport, NY: Books for Libraries Press, 1971), 236.

[31] Howard, *Autobiography of Oliver Otis Howard,* 238-239.

[32] The Emancipation League, *Facts Concerning the Freedmen. Their Capacity and Destiny* (Boston: Press of Commercial printing House, 1863); Willie Lee Rose,

Rehearsal for Reconstruction: The Port Royal Experiment (New York: Oxford University Press, 1964)*,* 164-165; 230-234.

[33] Foner, *Free Soil, Free Labor, Free Men,* 11-17; Heather Cox Richardson, *The Death of Reconstruction: Race, Labor, and Politics in the Post-Civil War North, 1865-1901* (Cambridge, MA: Harvard University Press, 2001), 7.

[34] Howard, *Autobiography of Oliver Otis Howard,* 237.

[35] On fears of deadening former slaves' capacity to become self-sustaining, see Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988), 68; 236-237. On concerns about federal expansion, see Kurt T. Lash, *The Fourteenth Amendment and the Privileges and Immunities of American Citizenship* (New York: Cambridge University Press, 2014), 6.

[36] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:209-210.

[37] Foreshadowing the concept of prudence that rhetorical scholar Kirt H. Wilson identified in desegregation arguments over the subsequent decade, these Republicans defined practical action according to an abstract principle of "right," not the convenient, local, or Constitutional. Kirt H. Wilson, *The Reconstruction Desegregation Debate: The Politics of Equality and the Rhetoric of Place, 1870-1875* (East Lansing: Michigan State University Press, 2002), 148; Kirt H. Wilson, "The Contested Space of Prudence in the 1874-1875 Civil Rights Debate," *Quarterly Journal of Speech* 84 (1998): 131-149.

[38] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:319.

[39] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:365.

[40] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:298.

[41] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:340.

[42] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:366.

[43] For instance, the Bureau's system of courts, offered by radicals as a way to circumvent the "black codes" of the South, were decried by Indiana Senator Thomas A. Hendricks as a usurpation of state sovereignty. Referencing Hobbes's notion of "*imperium in imperio,*" Hendricks dubbed the Bureau courts "a government within a government—not a republic within a republic, but a cruel despotism within a republic." *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:319.

[44] As George M. Frederickson writes, these notions of black subservience and docility had an uncanny tendency to evolve to fit the evidence. For instance, when slaves did not immediately try to overthrow their masters' plantations at the start of war, Northerners attributed it to their submissiveness. When those same slaves joined the Union military and played an instrumental role in defeating their former masters, Northerners credited that, too, to their submissiveness. George M. Frederickson, *The Black Image in the White Mind: The Debate on Afro-American Character and Destiny, 1817-1914* (New York: Harper & Row Publishers, 1971), 168-170.

[45] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:401. This is an example of what Kirt H. Wilson describes as the racial politics of imitation, wherein the exact same behavior is interpreted as mere "imitation" and thus not revealing genuine knowledge. Kirt H. Wilson, "The Racial Politics of Imitation in the Nineteenth Century," *Quarterly Journal of Speech* 89 (2003): 89-108.

[46] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:396.

[47] In another example, Democratic Senator Willard Saulsbury of Delaware gestured toward the galleries, where many black men and women observed the debates.

Speculating that they were "beneficiaries of the Freedmen's Bureau," he remarked that federal largesse allowed them to spend "every day listening to your deliberations, doing nothing to support themselves." *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:362.

[48] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:396.

[49] Eric Foner, *Reconstruction*, 68; 236-237. Also see Amy Dru Stanley, *From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slave Emancipation* (New York: Cambridge University Press, 1998), 36; Lea S. VanderVelde, "The Labor Vision of the Thirteenth Amendment," *University of Pennsylvania Law Review* 138 (1989): 438; Foner, *Free Soil, Free Labor, Free Men,* xxxiv-xxxvi.

[50] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:396.

[51] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:321-322.

[52] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:322.

[53] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:322.

[54] On the deferring of equality through education, see Jacques Rancière, *The Ignorant Schoolmaster: Five Lessons in Intellectual Emancipation,* trans. Kristin Ross (Stanford, CA: Stanford University Press, 1991), 132.

[55] The bill passed by a margin of 37 to 10, almost entirely split along Republican and Democratic lines. *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:421.

[56] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:513.

[57] Adam Arenson, *The Great Heart of the Republic: St. Louis and the Cultural Civil War* (Columbia: University of Missouri Press, 2011), 47-64.

[58] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:517.

[59] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:513.

[60] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:514.

[61] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:513.

[62] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:517.

[63] "Northern Republicans interpreted [the freedperson's] quest for education as proof of the freedmen's status as good Americans who wanted to rise," Heather Cox Richardson explains, and "to use his labor intelligently and productively." Richardson, *Death of Reconstruction*, 34.

[64] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:743.

[65] On the infuriating rhetorical choices Johnson included in his veto message, see John H. Abel and LaWanda Cox, "Andrew Johnson and His Ghost Writers: An Analysis of the Freedmen's Bureau and Civil Rights Veto Messages," *The Mississippi Valley Historical Review* 48 (1961): 460-479.

[66] Andrew Johnson, "Veto Message," February 19, 1866, *The American Presidency Project,* online by Gerhard Peters and John T. Woolley, http://www.presidency.ucsb.edu/ws/?pid=71977.

[67] Johnson, "Veto Message."

[68] Steven Ash, *A Massacre in Memphis: The Race Riot that Shook the Nation One Year After the Civil War* (New York: Hill and Wang, 2013).

[69] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 3:2773.

[70] Richardson, *Christian Reconstruction,* 83.

[71] Robert C. Lieberman, "The Freedmen's Bureau and the Politics of Institutional Structure," *Social Science History* 18 (1994): 422-423.

[72] US Congress, House, Committee on Freedmen's Affairs, *Bureau of Freedmen and Refugees [To Accompany Bill H.R. No. 598],* 40th Cong., 2nd Sess., 1868, H. Doc. 30, 24.

[73] US Congress, House, Committee, *Bureau of Freedmen and Refugees,* 24.

[74] Abraham Lincoln, "Last Public Address, April 11, 1865," in *The Collected Works of Abraham Lincoln,* vol. 8, ed. Roy P. Basler (Ann Arbor: University of Michigan Digital Library Production Services, 2001), 403.

[75] Douglass, "What the Black Man Wants," 37.

[76] John W. Alvord, *Bureau of Refugees, Freedmen, and Abandoned Lands—1867. Fourth Semi-Annual Report on Schools for Freedmen, July 1, 1867* (Washington, DC: Government Printing Office, 1867), 79.

[77] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:745.

[78] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:745.

[79] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:746.

[80] In one instance of conservative resistance to freedpeople getting the right to vote too quickly, Democratic Senator James A. McDougall of California remarked that freedpeople were rising too quickly above their station through politics. *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:393.

[81] Reflecting the competing, and contradictory, politics of suffrage embraced by the Republican Party, its platform for 1868 emphasized "equal suffrage to all loyal men at the South," while leaving "the question of suffrage in all the loyal States properly… to the people of those States." "Republican Party Platform of 1868," May 20, 1868,

American Presidency Project, online by Gerhard Peters and John T. Woolley, http://www.presidency.ucsb.edu/ws/index.php?pid=29622.

[82] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, Appendix, 67.

[83] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, Appendix, 68.

[84] On Garfield's shifting political commitments during Reconstruction, see Allan Peskin, *Garfield* (Kent, OH: Kent State University Press, 1978), 223-303.

[85] David F. Labaree, *The Making of an American High School: The Credentials Market and the Central High School of Philadelphia, 1838-1939* (New Haven: Yale University Press, 1988), 13, 173-182; Martin Ridge, *Ignatius Donnelly: The Portrait of a Politician* (Chicago: University of Chicago Press, 1962), 5.

[86] Labaree, *The Making of an American High School,* 26-28.

[87] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:513. Earl M. Maltz, *Civil Rights, the Constitution, and Congress, 1863-1869* (Lawrence: University Press of Kansas, 1990), 111.

[88] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:586.

[89] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:586.

[90] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:586.

[91] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:588. Regarding party affiliation, Donnelly suggesting that voters for Southern Democrat John C. Breckinridge in 1860 cast their ballots solely out of ignorance. Ironically, Donnelly himself was a former disciple of Breckinridge, but would likely not include himself in the category of the candidate's "ignorant" endorsers. Such was the flexibility of dispositional judgment.

Congressional Globe, 39th Cong., 1st Sess., 1866, 36, pt. 1:587; Ridge, *Ignatius Donnelly*, 11-12.

[92] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:590.

[93] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:586.

[94] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:589.

[95] Addressing Donnelly's remarks, George M. Frederickson explains, "[t]he idea that equal rights led to equal opportunities was obviously not applicable to a people just released from slavery, but the prevailing belief in the probability of racial inferiority provided an ideological escape valve, a ready explanation for future Negro failures which would not call the bourgeois ideology of 'self-help' and 'equal-opportunity' into question." Frederickson, *The Black Image in the White Mind*, 181-182. Donnelly's remarks are also addressed in Hartman, *Scenes of Subjection,* 177.

[96] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:586.

[97] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:587.

[98] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:586.

[99] On the complicated and rapid political changes that led Republicans to include voting rights for blacks in the Reconstruction Acts, see Foner, *Reconstruction,* 273-277.

[100] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 2:1815.

[101] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 2:1995. In the Senate, Thomas A. Hendricks of Indiana raised the same argument. "You say the wisdom of the negro race has been quite sufficient, inasmuch as that race controlled the election of delegates to the conventions to decide the political fortunes of one third of this country," he alleged, "and to-day you propose to declare these same people not competent and not

capable of taking care of themselves." *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 3:3054.

[102] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 2:1816.

[103] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2317.

[104] Hartman, *Scenes of Subjection*, 6.

[105] For instance, in one heated exchange during the 1868 debate, Eliot had quoted a Bureau agent's remark that the Bureau could "assist wonderfully in reconstructing the South on a loyal basis." Seizing this claim, Representative George M. Adams of Kentucky attacked the language of promoting "loyalty" through an agency that was, above all, engaged in work with schools. He alleged the Bureau's "object be to organize an army of office-holders, and by the patronage and intimidations of this bureau to control the political destinies of this country." *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, Appendix, 294. For a discussion of how Republicans in Congress distanced themselves from overtly discussing freedpeople's "loyalty" and political involvement, see Richardson, *Death of Reconstruction,* 54-57.

[106] *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 2:1029.

[107] *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 2:1097.

[108] Ulysses S. Grant, "Special Message," March 30, 1870, *The American Presidency Project,* online by Gerhard Peters and John T. Woolley, http://www.presidency.ucsb.edu/ws/index.php?pid=70628.

[109] *Congressional Globe,* 40th Cong., 1st Sess., 1867, 38, pt. 1:210.

[110] As Douglas R. Egerton writes, the Bureau set in motion an unprecedented growth in educational opportunity for the families of emancipated slaves, representing "a

triumph not witnessed by any other nineteenth-century post-slavery society." Egerton, *Wars of Reconstruction*, 167.

[111] On the complicated convergence of the Bureau's activities with missionary groups, see Bentley, *History of the Freedmen's Bureau,* 62-75.

[112] Brian Balogh argues that many philanthropic or state-building functions of the federal government taken on shortly after the war were undertaken or transferred to extra-governmental agencies by the end of Reconstruction. Brian Balogh, *A Government Out of Sight: The Mystery of National Authority in Nineteenth-Century America* (New York: Cambridge University Press, 2009), 277-308.

[113] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3: 2295.

[114] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2322.

[115] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2320.

[116] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2320.

[117] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2320.

[118] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2320.

[119] On the "New Departure," see Michael Todd Landis, *Northern Men with Southern Loyalties: The Democratic Party and the Sectional Crisis* (Ithaca, NY: Cornell University Press, 2014); Mark Wahlgren Summers, *The Ordeal of the Reunion: A New History of Reconstruction* (Chapel Hill: University of North Carolina Press, 2014), 300-304.

[120] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2317.

[121] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2319.

[122] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2317.

[123] At least three such attempts were made to bring the bill to a vote. *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2442; pt. 4:4309; pt. 5:5286.

[124] US Congress, House, Committee on Education and Labor, *Charges Against General Howard,* 41st Cong., 2d sess., 1870, H. Doc. 121, 3.

[125] US Congress, House, Committee, *Charges Against General Howard*, 366-373.

[126] “This association has the right to teach whatever doctrines it chooses,” he explained, “but General Howard had no right to support it or any other religious association in promulgating their religious opinions with government funds.” US Congress, House, Committee, *Charges Against General Howard*, 50.

[127] US Congress, House, Committee, *Charges Against General Howard,* 53.

[128] US Congress, House, Committee, *Charges Against General Howard*, 55.

[129] US Congress, House, Committee, *Charges Against General Howard*, 5.

[130] US Congress, House, Committee, *Charges Against General Howard*, 5.

[131] US Congress, House, Committee, *Charges Against General Howard*, 16.

[132] US Congress, House, Committee, *Charges Against General Howard*, 3.

[133] US Congress, House, Committee, *Charges Against General Howard*, 3.

[134] US Congress, House, Committee, *Charges Against General Howard*, 19.

[135] US Congress, House, Committee, *Charges Against General Howard*, 20.

[136] For example, Richardson writes that the American Missionary Association—the largest contributor to freedpeople’s education—“began the 1870s with a $78,000 debt and a declining field for collections.” Richardson, *Christian Reconstruction,* 102.

[137] Anderson, *The Education of Blacks in the South,* 148-185.

[138] George Dixon to General Brown, Jan. 1, 1868, with Resolution signed by W.K. Barksdale, Chairman; Texas File; Letters Received by Thomas D. Eliot, Chairman of the House Committee on Freedmen's Affairs, December 1867-February 1868; Records of the Bureau of Refugees, Freedmen and Abandoned Lands, Record Group 105; National Archives Building, Washington, DC.

[139] W.E.B. DuBois, *Black Reconstruction in America: An Essay Toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880* (New York: Russell and Russell, 1935), 667.

[140] Rogers Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History* (New Haven, CT: Yale University Press, 1997), 6; Kent A. Ono, "Borders That Travel: Matters of the Figural Border," in *Border Rhetorics,* 19-32.

[141] Schudson, *The Good Citizen,* 182-187.

[142] Asen, "A Discourse Theory of Citizenship," 196.

[143] Rufo and Atchison, "From Circus to Fasces," 199-200.

[144] Henry Wilson, "New Departure of the Republican Party," *Atlantic Monthly* 21 (1871): 108.

[145] John W. Alvord, *Bureau of Refugees, Freedmen, and Abandoned Lands—1869. Fourth Semi-Annual Report on Schools for Freedmen, July 1, 1869* (Washington, DC: Government Printing Office, 1869), 83-84.

[146] Samuel Thomas, "Circular No. 2. To the Colored People of Mississippi," Jan. 2, 1866, in *Grant, Lincoln and the Freedmen: Reminiscences of the Civil War with Special Reference to The Work for Contrabands and Freedmen of the Mississippi Valley,* ed. John Eaton (New York: Longmans, Green, & Co., 1907), 243.

[147] Stanley, *From Bondage to Contract,* 36-40.

[148] Anderson, *The Education of Blacks in the South,* 33-78.

[149] Herman Belz, "The Freedmen's Bureau Act of 1865 and the Principle of No Discrimination According to Color," *Civil War History* 21 (1975): 197-217. Although, as Kate Masur notes, even in setting the names side-by-side, the names used implied a racial hierarchy. "[T]he use of 'freedmen' and 'refugee' side by side in the name of the new federal bureau reflected a segregated world view in which white people were linked to their prior status as citizens, black people to their prior status as slaves, a people without a country to lose." Kate Masur, "'A Rare Phenomenon of Philological Vegetation': The Word 'Contraband' and the Meanings of Emancipation in the United States," *Journal of American History* 93 (2007): 1082.

[150] For a historical analysis of how a single rhetoric of "education" came to obfuscate differences between white and black schools during this era, see Robert F. Wolff, "The Problem of Race in the Age of Freedom: Emancipation and the Transformation of Republican Schooling in Baltimore, 1860-1867," *Civil War History* 52 (2006): 229-254.

[151] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:516.

[152] The paradox, Shklar notes, was that the survival of "less government" seemed to require "*free* education," yet it was difficult to promote universal free education without a corresponding expansion of government. Shklar, *American Citizenship,* 77.

[153] Phebe A. Hanaford, *The Life of George Peabody; Containing a Record of Those Princely Acts of Benevolence Which Entitle Him to the Esteem and Gratitude of All Friends of Education and the Destitute* (Boston: B.B. Russell, 1870), 154.

[154] Kenneth J. Saltman, *The Gift of Education: Public Education and Venture Philanthropy* (New York: Palgrave Macmillan, 2010); Janelle Scott, "The Politics of Venture Philanthropy in Charter School Policy and Advocacy," *Educational Policy* 23 (2009): 106-136; Sarah Reckhow and Jeffrey W. Snyder, "The Expanding Role of Philanthropy in Education Politics," *Educational Researcher* 43 (2014): 186-195.

[155] On the destabilizing role these educational movements have for traditional public schools, see, for instance, Kristen L. Buras, *Charter Schools, Race, and Urban Space: Where the Market Meets Grassroots Resistance* (New York: Routledge, 2014).

[156] Douglass, "What the Black Man Wants," 39.

CHAPTER THREE

"TO PLUCK OUT THE EYES OF THE NATION": THE BUREAU OF EDUCATION'S STRUGGLE TO SEE LIKE A STATE

> *You cannot send out education as the Commissioner of Agriculture does seeds, done up in parcels.*
>
> \- Representative John F. Farnsworth, July 2, 1868[1]

Radical Representative Thaddeus Stevens had a reputation as an advocate of public education. In 1834, after years of attempts to spread education throughout the state, the Pennsylvania legislature passed its first law guaranteeing free schools without distinction of economic status. The law was controversial, particularly among those who opposed the notion of tax-sponsored charity. Many of the law's supporters lost their seats, and in 1835 their newly-elected replacements sought its repeal. Then a State Representative, Stevens delivered a stern denunciation of fellow legislators who would "punish children for the crimes or misfortunes of their parents."[2] His address touted education as a panacea for social problems. Common schools could provide a route out of poverty, as they had for Benjamin Franklin.[3] They could ensure the diffusion of knowledge requisite to upholding "the permanency of our government."[4] And they would counteract the shortsightedness of parents who, "absorbed in the accumulation of wealth," put their children to work rather than stimulating their moral development.[5] Stevens even opposed a compromise amendment that sought to create exclusive "pauper schools" for the city's poorest inhabitants. He did so not only because he believed in the virtues of economic school integration, but also because he despised the statistical techniques that would be used to determine the poor population. Census-takers and schoolteachers would be required to keep track of which students were in poverty, thus

making the law one of "branding and marking the poor" and preserving their misfortunes forever "in the archives of the county."[6] Widely credited with orchestrating the defeat of the repeal bill, Stevens continued to support public schooling as a leader in the U.S. Congress. Throughout the 1860s, he supported provisions for freedpeople's education, and repeatedly proposed legislation to improve upon a common school system for the benefit of black residents of Washington, DC.[7]

Given this background, it is hard to blame Representative James A. Garfield for expecting Stevens to support his bill for a federal Bureau of Education. Garfield viewed his proposed agency as a way of gathering and disseminating information to help Southern states establish new systems and to improve pedagogy across the country—a goal that, he thought, Stevens would support. To stress the wide-ranging benefits of education for the well-being of the nation, Garfield quoted extensively from Stevens's 1835 speech, citing him as an example of the challenges state leaders faced in their efforts to expand education. Garfield concluded by laying praise upon his colleague: "this man, then in the beginning of his public career… by his earnest and brave eloquence saved the law, and gave a noble system of common schools to Pennsylvania."[8] Garfield was blindsided by Stevens's response. Stevens voted against the Bureau of Education, then two years later supported efforts to abolish it altogether. Challenging Garfield's motives and the efficacy of the agency, he argued that the funds for a Bureau would be better spent through direct appropriations to DC schools. "I ask seriously," he said to Garfield, "do you advocate this measure merely for the purpose of making a glorious speech on the subject of education, or do you make it for the purpose of fitting freeman for the ballot box?"[9] How did Garfield, one of the youngest members of the House of

Representatives, so miscalculate the sentiments of Stevens, the oldest? Despite their shared commitments to education, something had changed in the forty years that separated them in age—something in the way educational advocates talked about public school reform.

Stevens became an education proponent before reformers like Horace Mann and Henry Barnard had pursued sweeping reforms and systematization of school systems.[10] Garfield, on the other hand, worked as an educational leader as these efforts at promoting educational bureaucracy made their way westward. In the late 1850s, he became President of the Western Reserve Eclectic Institute (later renamed Hiram College). There, he lectured teachers on pedagogy, promoted specialized school journals, and garnered political support from an emerging class of professional education experts.[11] Representing the Western Reserve of Ohio—sometimes called "New Connecticut" for its migratory roots in the reform culture of New England—Garfield came from a constituency amenable to the reform philosophies of Mann and Barnard.[12] Whereas Stevens had argued for schooling where no system existed, Garfield understood education reform as an effort to systematize, professionalize, and spread awareness. Stevens sought to promote the wide-ranging virtues and democratic ends of education, and was skeptical of statistical methods. Garfield, despite all his years in the classroom, sought a birds-eye-view of the profession that statistics could provide. Like the growing movement of state superintendents attempting to pull together disparate local schools, the problem before Garfield in pursuing a Bureau of Education was one of translating a broad language of education into the rational idiom of technocracy, specialized knowledge, and positivistic analysis.[13] It was a challenge of translating a mode of reform that touched

upon every facet of democratic preparation, republican virtue, and meritocratic attainment into a narrower language that could be contained in a Commissioner of Education's annual reports.[14] The challenge, to borrow a term from James C. Scott, was one of applying a "synoptic" vision to a domain that resisted easy definition.[15]

Today, the tension between Garfield and Stevens, between technocracy and all-encompassing concepts of "education," persists as an underlying fault line in America's educational imaginary. As Charles Taylor writes, social imaginaries—the tacit, taken-for-granted assumptions that undergird social practice—can be characterized by hybridity, with seemingly incompatible elements coexisting at once.[16] That is certainly the case with the American adherence to educational technocracy. For the most part, Americans have settled into a system of local district hierarchies topped off by state-level superintendents, with a national Secretary of Education at the peak nudging states to adopt reforms. Such a system often goes unquestioned, as it is simply the institutional environment into which Americans are born. At a more tacit level, Americans accept certain premises that make this type of governance possible. Few would doubt that categories of "illiterate," "below average," or otherwise "uneducated" people exist, or that it is problematic when many fellow Americans fall into those categories.[17] Outside of a subset of educational practitioners and critics, Americans accept the possibility of synoptic judgments, trusting that experts can make useful and effective policy judgments based on the right measurements and information.

While Americans persistently accept technocratic governance and the idea of "standards" in principle, though, there persists a constant anxiety when federal policymakers attempt to determine *how* education should be supervised and evaluated.

Across American history, efforts to nationalize standards or mechanisms of assessment have met politically diverse resistance.[18] That these perennial conflicts escape simple political categorization suggests a deeper anxiety in America's social imaginary, one between education's function as a panacea and the impulses of technocratic governance. Such countervailing pressures are predicated on certain tacit assumptions, making it is difficult to step outside of them or contemplate why they persist. To this end, I turn to an era when these competing ideas needed to be rendered explicitly rather than taken for granted as part of the background of rhetorical practice.[19]

As Garfield's rebuke from Stevens underscores, the Reconstruction Era debate over a Bureau of Education occurred during a time when the assumptions of technocracy had not become part of the social imaginary. Outside of the decennial Census and the recently-established Department of Agriculture, most congressional leaders viewed data-collection and information-dissemination as a function of professional associations, reform groups, or philanthropies.[20] In efforts at social reform, the statistical science of governance that Scott dubs "high modernism" still had not taken hold among policymakers, although arguers like Garfield were beginning to assert its importance.[21] The transitional nature of this rhetorical moment makes it ideal for examining the forces, constraints, and choices that shaped the emerging rhetoric of education policy. When trying to account for the development of America's embrace of educational technocracy, historians tend to start in the period from 1890 to 1920, when concepts of scientific measurement were taken up by administrative progressives and used to impose order on an unruly hodgepodge of regional education systems.[22] This chapter moves the timeline forward, arguing that this Progressive Era bureaucratization depended first upon the

rhetorical cultivation of assumptions about school governance, educational science, and the "educated" person. Before reformers could impose order upon education, there needed to be a wider discussion about what educational "order" looked like in a federal republic. While the "long march" from these explicit claims to an educational imaginary proceeded over decades that followed, the Bureau debate nonetheless represented a key moment in this development.[23] Federal leaders explicitly took up the question of what a synoptic vision of national education could, or should, look like. When the synoptic state looked at schools, they wondered, what should it see? The adaptations and mutations of interlocutors' rhetoric both anticipated and helped to mold the forms that discourses of federal education policymaking would ultimately take.

In this chapter, I argue that advocacy for a Bureau of Education emerged as a doubly-indirect response to the challenges of governing a federal polity after the Civil War. Through education, the bill's proponents aimed to indirectly alter the substantive differences in the social imaginary that produced cultural conflict. They hoped to accomplish this through a Commissioner of Education, who would indirectly persuade states to reform their education systems by making the benefits of schooling visible. I argue that this doubly-indirect strategy inscribed a tension of centrifugal and centripetal forces upon the definition of "education." Centrifugally, proponents needed to expand the meaning of "education," positing it, in the words of Representative Nathaniel P. Banks of Massachusetts, as a means to "reform political opinion, so far as to change the basis of political society."[24] This impulse upon definition tended toward what Mikhail Bakhtin calls "heteroglossia," a layering and blurring of idioms and a corresponding unruliness of meaning.[25] Centripetally, proponents faced what Scott calls the paradox of the synoptic

state: that seeing everything requires a "narrowing of vision" to focus on a set of representative indicators.[26] To tout the instrumentality of their policy, Bureau advocates defined education as monoglot, unitary, and unambiguous, thus enabling a Commissioner to write uncontroversial reports. As the Reconstruction Congresses debated the creation and continuation of the Bureau, these technocratic premises came to undercut the broader educational appeal, and vice versa.

As the debate over the Bureau unfolded between 1866 and 1871, this centrifugal/centripetal tension reemerged in several ways. Initially, the Bureau's designers inscribed the tension in the legislation itself through institutional emphases on statistics, the Department of Agriculture model, and bureaucratic centralization. When the bill moved to the floor of the House in 1866, debaters conflicted over the broadly-stated aims of the legislation and its narrow instrumentality, twisting between definitions of education. After the Bureau's enactment, between 1868 and 1871 congressional leaders clashed over the merits of statistical persuasion itself, as Republican opponents like Stevens and Illinois Representative John F. Farnsworth questioned the billiard-ball logic of disseminating educational knowledge to experts. Finally, once Commissioners of Education started printing reports, once again the tension emerged as the Bureau's opponents questioned the breadth of the reports' contents, the diversity of their methods, and the objectivity of their analyses. Ultimately, I argue that the evolution of the debate between 1866 and 1871 demonstrates how the pressures of federalism shaped a conception of education founded upon contradictory forces of definition, forces that persist in the fault lines of the modern educational imaginary.

"From Without and Above": Translating the Educational Idiom

Minnesota congressman Ignatius Donnelly did not hedge in his argument for a strong federal role in education. Convinced that the Civil War was "traceable, in a great degree, to the absence of common schools and general education among the people of the lately rebellious States," he proposed a resolution for a Bureau of Education in December of 1865. The resolution urged that the Joint Committee on Reconstruction contemplate creating an agency "whose duty it shall be to enforce education, without regard to race or color, upon the population of all such States as shall fall below a standard to be established by Congress."[27]

The opening salvo for the next seven years of educational efforts in Congress, Donnelly's proposal represented an extreme departure from prior federal involvement in public schooling. For most of the century, as Brian Balogh argues, the federal government had been "hidden in plain sight," exerting its influence primarily through indirect subsidies, public land donations, and market stimuli.[28] In education, most federal participation in education happened in this way—for instance, through land grants made in accordance with the Northwest Ordinance of 1787.[29] Given this tradition, Congress roundly rejected Donnelly's call to "enforce" education through a federal "standard" upon the states. Nonetheless, his proposal set in motion a concerted effort among professional educational associations that, since the mid-1850s, had sought a more modest federal role in education.[30] Over the next six months, educational leaders and a congressional committee helmed by Garfield produced an altogether different type of Bureau proposal, one that promoted educational ends through indirect means.

In February of 1866, the recently-established National Association of School Superintendents held a convention in Washington, DC. To an audience that included several members of Congress, Ohio School Commissioner Edward Emerson White made the case for his preferred approach to education reform.[31] He argued that the federal government's three options were to "establish and maintain… a national system of education," to pass laws to "*enforce* the maintenance of a public school system upon every State," or to "*induce* each State to maintain an efficient school system" through a Bureau of Education.[32] White's call to "induce" educational activity represented a distinctly different approach from Donnelly's, one far more sensitive to precedents of federal involvement in education. But White's proposal also departed from that tradition of school promotion in an important way. It relied not on the nudges of antebellum administration or the centralizing impulses of later Progressive Era governance, but rather on the persuasive force of government-sanctioned expertise and empirical, scientific data.[33] Building upon this belief in technocracy, White convinced a cadre of congressmen to support the reform. By the month's end, he and Garfield met in the representative's library, where the two Ohioans collaborated on drafting a bill.[34] Guided by statistical science, an institutional analogy to the Department of Agriculture, and the precedents of government centralization, the initial formulation of the Bureau bill featured an approach to education policy that prioritized a rational ordering of educational knowledge. In the deliberative crucible of Congress, they would discover, this rational perspective collided with the broader vision of education they espoused.

When White and Garfield posited statistical persuasion as an alternative to direct federal intervention, their argument was somewhat disingenuous. Philosophically, they

did not view efficacious statistical demonstration as an act of persuasion at all. Their ocular metaphors made this much apparent. "An ignorant community has no inward impulse to lead it to educate itself," White mused, but only because no one had shown them their error. "A National Bureau would hold up to many school systems a mirror which would reveal attainable results and desirable changes."[35] While he believed an effective Bureau would also have some mechanisms of financial "inducement," he saw this statistical role as primary, a way to exert pressure "from without and above."

Similarly, Garfield viewed an emergent statistical idiom as a way to ensure societies could better see themselves.[36] In debates over the methods of the 1870 Census, for example, he stressed that "we can control terrestrial forces only by obeying their laws," and that "those great laws of social life [are] revealed by statistics."[37] Faced with a clear, accurate depiction of the hardships incurred through ineffective school systems, Garfield contended, states would have no choice but to embrace change. "[T]he very light shining upon them would rouse up their energies and compel them to educate their children," he explained.[38] The Bureau reports would instantaneously reveal the situation, just as when God said, "Let there be light."[39] As these metaphors of making education visible through mirrors or illumination demonstrate, White and Garfield's viewed statistical expertise as more than just an act of argumentative inducement. As Thomas Haskell explains, the relative newness of statistical methods in American culture reified the zeal of their proponents. "Merely to gather the most elementary statistical data was so difficult in the 1860s," he argues, "that it was easy to believe that adequate information would, in itself, lead almost automatically to vast social improvement."[40] In theory, at

least, Garfield and White treated the mere *visibility* of rational data as occupying a direct, unmediated relationship to their viewers' impulses to reform.

Statistics, the two Ohioans imagined, could remove the element of human decision-making or contestation from advocacy altogether. Problematically for their argument, though, this unequivocal belief in statistics undercut the justification for the Bureau based on indirect influence upon states. If the Bureau would truly exert the influence Garfield claimed it would, then it was hardly indirect at all. In turn, for Garfield to win the assent of those Republicans skeptical of federal involvement in education, he would need them to instead be incredulous toward his confidence in statistics.

Over the longer development of the debate, the promise of universal assent to educational statistics set a high bar for what constituted legitimate content in the agency's reports. Much of the Bureau's appeal, White had argued, would rest on the professional credibility of a Horace Mann-like figure as a national advocate.[41] But the logic of statistical narrowing would militate against the judgment of the Commissioner of Education by foreclosing the possibility of disagreement regarding the content of his reports. As Theodore Porter writes, "reliance on numbers and quantitative manipulation minimizes the need for intimate knowledge and personal trust," in turn eliminating the need for expertise in a discipline-specific, professional sense.[42] White perhaps unwittingly anticipated this issue when he made a caveat about Horace Mann's version of professional expertise in his February speech. "Mr. Mann may have originated few measures of educational progress," he conceded, "but he gave *wings* as well as vital power to the measures and agencies of others."[43] Under the criteria of scientific rationality White now endorsed, it is hard to imagine that Horace Mann's *Annual*

Reports—consisting of hundreds of pages of descriptive text, philosophical treatises on education's vast role in society, and opinionated conjecture—would have been acceptable documents.[44] Henry Barnard, Mann's Connecticut counterpart, quickly confronted this challenge when he became the first Commissioner of Education under Garfield's law.

Arguing for a Bureau not only placed professional expertise in conflict with statistical objectivity, it also revealed tensions between the natural science of agriculture and the broader political purposes of public education. Since the beginning of the republic, agriculture and education expanded along largely parallel lines as the nation grew westward. Their causes were intertwined. For the majority of Americans in the early 19th century, to be educated largely entailed learning efficient farming techniques. Professional associations for both agriculture and education emerged at around the same time, emulating one another's practices.[45] The Civil War and Reconstruction Era congresses took up both of these issues at around the same time, even combining them in the Morrill Act of 1862.[46] Following the creation of a Department of Agriculture in the same year, professional educators began advocating for a comparable federal agency to promote their apparently similar interests.[47] The model of the agriculture department thus heavily inspired the design and purposes of proposed education agency. Clause-for-clause, Garfield followed the framework of the agricultural department in the bill he proposed to Congress.[48] In place of entomologists, botanists, horticulturists, and other scientists, the proposed educational Bureau would feature a single expert Commissioner and five clerks. Their purpose, like that of the agricultural scientists, would be to "diffuse" helpful information and strengthen education across the nation.

In imitating the Department of Agriculture, Garfield adopted the position that society and nature alike both conformed to similar laws that could be measured through statistics.[49] He quickly found that the analogy between two Bureaus underestimated the ease with which accepted assumptions of agricultural science could be grafted upon education. The Department of Agriculture offered a scientific solution to what agriculturalists, scientists, congressmen, and laypeople understood as scientific problems. This perception had been cultivated since at least 1839, when an agricultural subdivision of the Patent Office began collecting rudimentary data and distributing seeds to farmers.[50] Throughout the 1850s, market pressures intensified farmers' turn toward rhetorics of rational administration and efficiency.[51] Speaking this idiom, proponents of agricultural policy emphasized the need for government-sanctioned expertise as a response to challenges of deciphering the natural world.[52] And so, while the agricultural agency experienced the usual states' rights opposition, by 1866 it had found a firm footing for its activity. Perhaps most importantly, its reports *looked* scientific.[53]

By contrast, the supporters of a Bureau of Education did not have a robust rational idiom to build upon. State school systems, where they existed, adopted wildly different systems of reporting, evaluating, and measuring their schools' status.[54] This contributed to a cloudy sense of what educational "research" entailed. Compared to the rational reports of the Department of Agriculture, national school journals embodied the ambiguity of education in the vastness, diversity, and breadth of topics addressed in every volume.[55] The indeterminate domain of educational research reflected the wide range of problems education policies, including the proposed Bureau, were developed to solve. By studying farmers' problems and spreading research, the Department of Agriculture

sought to solve problems like soil erosion. With the same instrumentality, Garfield enlisted the Bureau of Education to solve the eminent demise of the republic.

In the face of incongruous and unsystematic forms of educational research, the Bureau's supporters argued it would lend official credence to a single voice who could centralize the nation's educational endeavors.[56] A variety of factors undergirded this vision of a coordinator overseeing a disparate system of associations, county school boards, and superintendents. First, the Bureau's backers embraced a billiard-ball view of influence, wherein a Commissioner would distribute reports, those reports would shape the policies of state-level administrators, those administrators would guide the practices of educators, and they would in turn improve students' learning. It is not incidental, I suspect, that some of the Bureau's most outspoken advocates in the House, including Garfield, Nathaniel P. Banks, and Charles E. Phelps of Maryland, had just completed service as Union officers in the Civil War. In their positions as generals and colonels, historian Edward Hagerman explains, they answered to "a modern staff organization that coordinated planning between high command, bureaus, and operational command and control in the field."[57] Differently from those who, like Stevens, spent the war years in the halls of Congress, these arguers had a recent experience in the midst of a highly-ordered system of top-down information dissemination.[58]

More explicitly, many Bureau proponents expressed an impetus to replicate aspects of the ministries of education in Prussia and France, which exerted a major influence on the school systems of those countries.[59] Frustrated by efforts to spread reform little-by-little in their own states, reformers like Mann and Barnard had traveled to Prussia in the 1840s and 1850s, striving to adapt more direct forms of educational

influence to schools in New England.[60] Now, through a Bureau of Education, congressional reformers hoped to extend that state-level centralization to a national agency. They peppered debates over the Bureau with analogies to Prussia's widely-praised school system and influence on American pedagogy.

Federalism complicated matters. Without the scaffolding of a military command structure, the legal force of military conscription, or the mechanisms of institutional control available to many European leaders, the Commissioner's role would function differently than these models. The Commissioner's irrefutable reports would, in Garfield's theory, fulfill the role that a whole hierarchy of bureaucrats would take on in Prussia or the Union Army. When that unmediated influence did not actually bear out, the Commissioner occupied a precarious position, experiencing political pressures toward objectivity while trying to advocate education to resuscitate national unity, empower former slaves, and transform political consciousness. This broad panacea would be the supposed subject of his reports, but the instrumentalities granted to him in law would, by necessity, need to be narrow and resistant to scrutiny. With this proposal for a doubly-indirect intervention, Garfield brought the fruits of his collaboration with White to the floor of the House of Representatives. The conflicting definitional forces upon education would soon emerge—not just through the challenges rendered by his opponents, but by the disparate concepts of education articulated by his allies.

"We Want a Head": Educational Tensions in the Bureau's Founding, 1865-1867

On June 5, 1866, James A. Garfield brought forward his Department of Education bill for the purpose of "collecting such statistics and facts as shall show the condition and progress of education in the several States and Territories."[61] As was customary, he

yielded from delivering his own argument until the end of the debate. In the interim, the speeches of his fellow supporters captured the wide difference between the proposed Department's institutional means and educational ends. The divergence became clearest in the appeals of Donnelly and Samuel Moulton of Illinois. Both men favored the bill, but while Donnelly recapitulated his all-encompassing vision of education as a foundational element of Reconstruction, Moulton provided a much narrower account of how statistical persuasion could systematize education. The claims the two advanced about the Department's potential influence, techniques, and implications left an impression that the debate concerned two completely different policies. If the policy was as expansive as Donnelly claimed, they feared it violated states' rights. But if it was as narrowly-targeted as Moulton described, it did not seem worth funding at all. Garfield attempted to reconcile Moulton's machinery with Donnelly's vision, positing statistical influence as the way a small government agency could transform the nature of American political sentiments. The tensions of his allies persisted in his own attempted synthesis.

Donnelly's argument for the Bureau presented education as a panacea for social problems, one so broadly ambiguous as to reconfigure American political culture. His argument seemed to support the expansive bill he had hoped for, rather than the more modest statistical Bureau that Garfield proposed.[62] He began by tracing the causes of the Civil War to the disparate educational commitments of Massachusetts and Virginia in the 17th century, arguing that the Puritans' dedication and the Tidewater's opposition to schooling shaped the "destinies of millions of human beings."[63] These earlier generations had planted "two parent seeds, education and ignorance," which respectively grew into the beautiful oak of the North and the poisonous upas tree of the South.[64] Blurring idioms

of free labor, liberal egalitarianism, and republican virtue, he linked these early choices to the "intelligence, enterprise, invention, industry, prosperity, liberty, and justice" of the North, and the "ignorance, sloth, poverty, oppression, cruelty, slavery, and last of all, anarchy" of the South.[65]

Moving backward through history, Donnelly posited the distant cause of "ignorance" as the cause of the Civil War and the problem Reconstruction needed to solve.[66] Recapitulating claims he made in the Freedmen's Bureau debate, he argued that education provided the proper response to both the disloyalty of the former Confederates and the unchecked civic powers granted to freedpeople.[67] Without providing for education, Congress would "permit ignorance to spread over the land… eating away our civilization, degrading our people, impeding commerce, destroying manufactures, making brutes of the masses and demagogues of the leaders." With stakes so extreme, he claimed, "[i]t is no flourish of rhetoric to say that we hold the destiny of mankind in our hands."[68] With the South "thrown open to the civilizing influences of the age," Congress could guarantee that "every man who votes [becomes] an intelligent, conscious, reasoning, reflecting being."[69]

For all his confidence in education, though, Donnelly provided few specifics regarding how the proposed Bureau of Education would rescue "the destiny of mankind." In part, he argued that a Bureau would help the United States follow the centralizing influences of Europe. He was flabbergasted that despotisms like France, Prussia, Austria, and Russia had developed dedicated national ministries of education, while nary a Department, bureau, or clerkship existed in the capital of America, "whose very corner-stone is the enlightened judgment of each individual citizen."[70] But where those foreign

systems exerted influence through a bureaucratic hierarchy, Donnelly suggested that the Department of Education in the United States would exert influence without these apparatuses, providing instead “a mouthpiece and a rallying point.” “Here to this center,” he explained, “will be brought all the results of experience and experiment in the pursuits of education… [to] be analyzed and eliminated.”[71] Simply by pulling together the facts, he suggested, the Department would “throw a flood of light upon” the necessity of educational change across the country and coordinate the efforts of educators. It would transform “public sentiment” on education, and thus “arouse to increased productivity the friends of education everywhere.” With this single informational domino, the whole resistance to building centralized school systems in the states would collapse. With schools in place, everything else would improve. “[W]hat a glorious assemblage shall pour forward: the newspapers, the public libraries, the multiplying railroads, the improved machinery for agriculture, the increased comforts for the home, with liberality, generosity, mercy, justice, and religion.”[72]

The bill’s opposition latched onto the incongruity between Donnelly’s enormous vision and the limited instrumentalities of the bill. As Democrat Andrew J. Rogers from New Jersey observed, “The bill does not seem so broad in its terms as the speech of the gentleman from Minnesota would indicate.”[73] In his view, the language of the bill itself seemed to imply a role for the Bureau that was so small as to be pointless.[74] But given how much Donnelly claimed the bill could accomplish, Rogers suspected more insidious motives from his Minnesota colleague. He interpreted the proposed Bureau as a wedge for future federal intervention in state education.[75] He fretted that the facts and statistics gathered by the Commissioner would “warrant [the bill’s supporters] by amendments

hereafter… to control and regulate the educational system of the whole country."[76] To corroborate his interpretation of Donnelly's motive, Rogers criticized the weak chain of distant educational causes that Donnelly provided for the Civil War.[77] Ignorant Southerners did not cause the war, Rogers insisted. That blame rested on elite, well-educated demagogues of the planter class who manipulated the uneducated.[78] Implicitly linking Donnelly to those demagogues, he compared the Minnesotan to pretentious New Englanders who, "with their sheep-skin rolls and high-sounding degrees," disdained the common schooled citizen as "groveling in low ignorance."[79] According to Rogers, Donnelly sought to impose a New England-style system on the occupied South, which would only reignite the region's sentiments toward disunion.[80]

Three days later, Samuel Moulton offered a clarification of the bill's technocratic logic, attempting to clarify Donnelly's overstatement of the Bureau's consequences. A former schoolteacher in several Southern states and proponent of school systemization in the Illinois legislature, Moulton spoke with a nuanced understanding of educational bureaucracy. If Rogers had actually "examined [the bill's] scope and what it proposes to accomplish," Moulton said, his opposition would not have been so vehement.[81]

Moulton's argument stressed the themes of professional expertise, administrative centralization, and statistical persuasion. He particularly emphasized the capacity of expert administrators to shape government policy. Garfield's bill did not intervene into states' rights, Moulton insisted. In fact, state educational leaders wanted such a Bureau as a way to strengthen their efforts in the states. Anyone who read educational journals, Moulton noted, would be aware of this strong desire to imitate the beneficial leadership structures of Prussia and France.[82] Educational facts unto themselves, such as those

collected by the Census Bureau, would be inadequate without someone with a bird's eye view "to collate and compare, to make deductions and suggestions."[83] "We want a head," he explained, "a controlling head by which the various conflicting systems in the different States can be harmonized, by which there can be uniformity, by which all mischievous errors that have crept in may be pointed out and eradicated." The purpose of the Commissioner, he explained, would be one of analysis, comparison, and synthesis, providing a "pure fountain from which a pure stream can be poured upon all the States."[84]

Moulton then clarified what the "pure fountain" would pour, narrowing his concept of education in alignment with the system he helped establish in Illinois. As of 1853, he explained, the Illinois system was "in chaos. We had really no educational system at all… Everything was in confusion." Public lands allocated for education quickly "dissipated" through apathy and a lack of coordination.[85] The problem, as in the United States generally, was that "[t]here was no common center; no one to advise, direct, and suggest," or to "show [the people] the proper path."[86] The introduction of a superintendent position established cogency and efficiency. Within a decade, Moulton continued, "we have twelve thousand school districts established, with magnificent school-houses dotted all over the prairies, and every Monday morning when the clock strikes nine o'clock half a million of bright-eyed girls and boys are within the walls of the common schools of Illinois."[87] In place of the mishmash of complexity emerged a system aligned with the aesthetic and temporal consistency characteristic of technocratic governance. Each child in each school behaved predictably and systematically. Life imitated the structural elements of the superintendent's charts and tables.[88] Just as the Department of Agriculture corrected dysfunction just by making it visible, a Department

of Education would “shed light in the dark places by disseminating facts and statistics, vitalizing and influencing by persuasion rather than by authority.”[89] In this way, the “natural right” to education could be secured against demagogues who would hide the benefits of education from their citizens.[90]

Whereas Donnelly’s speech suffered from its ambiguity, Moulton’s critics targeted his speech’s narrow instrumentality. Republican Frederick Pike of Maine, for instance, took umbrage with the limited “machinery” of the legislation. The bill failed to specify whether the Commissioner and his clerks would “collect new facts” like the Census Bureau, “send out its agents to gather them up and embody them,” or simply “take the returns of the different States and analyze them.”[91] Also critiquing the limits of the proposed agency, Democrat Samuel J. Randall of Pennsylvania wondered whether the Commissioner’s reports would offer any state more information than their respective superintendents already provided. If the Department would just gather up existing information, he argued, “all this bill could possibly do would be just to copy the State superintendent’s report and put it on file.”[92] Challenging the analogy to European countries, Randall cited a letter from an educational expert attesting that Prussian and French ministries would fail under the American system of self-government.[93] Whereas those nations had a whole structure to carry out their agencies’ ends, Randall argued, the “head” Moulton desired would, in reality, be “a head without any body.”[94] If the agency should exist at all, he asserted, it only needed a small number of clerks in the Department of Interior. But he questioned the whole technocratic logic of Moulton’s argument, complaining that the bill “does not propose to teach a single child, white, black or colored, male or female, its a b c’s.”[95]

When he led the Eclectic Institute in Ohio, Garfield had developed a knack for blurring idioms of education as various stakeholders pressed for curricular change.[96] He would now rely on a similar rhetorical skillset, attempting to demonstrate how Moulton's narrow technocratic agency could bring about the broad vision Donnelly espoused. Put another way, Garfield needed to show how a bureaucratic head in Washington could influence the teaching of the "a b c's" to children in states hundreds of miles away. Whereas Donnelly had trotted out Census Bureau statistics to demonstrate an imminent need for education, Garfield adopted an approach focusing on the present *invisibility* of education's status. The problem, as he framed it, was the absence of sight. "I have searched in vain for any complete or reliable facts showing the educational condition of the whole country," he began. He considered Census data on illiteracy to be superficial, reports from most states inadequate, and the supervision of school finance inconsistent.[97] Without this information, state-level advocates like Thaddeus Stevens lacked clear models, evidence, and examples upon which to build their cases. To congressmen insisting the states could handle their own systems, Garfield scoffed. "Do they know through what a struggle every State has come up that has secured a good system of common schools?" Even with the blessing of historic heroes like Benjamin Franklin, "so foreign was the idea of public schools to the habits of the people" that Pennsylvanians nearly dismantled their system of public schools.[98] The function of the Department, Garfield explained, would be to ease the task before reformers like Stevens through irrefutable illuminations. The Department would wield "that power, so effective in this country, the power of letting in light on subjects and holding them up to the verdict of public opinion."[99] When Southern leaders compared their education systems to those of

Ohio or Massachusetts, their response would be visceral. "The very light" of the reports "would shame out of their delinquency all the delinquent States of this country."[100]

For all his efforts to seamlessly connect the instrumentality of statistics to the broad goals of common schooling, though, the centrifugal and centripetal tensions of defining "education" still shaped his argument. For example, in a series of comparisons between the proposed Department and existing federal scientific agencies, Garfield provided a conflicted account of how he would situate education alongside the natural sciences. As an *analogy*, Garfield claimed the Department would imitate the work of these agencies in a different, and far more important, sphere of policy. But he also defined education as another *example* of a natural science, amenable to the same techniques of rational study.[101] For instance, Garfield noted that the Coast Survey Bureau had, since 1832, been the source of federal expenditures "in order perfectly to know the topography of our coasts, lakes, and rivers, that we might make navigation more safe." "[I]s it of no consequence," he then asked, "that we explore the boundaries of that wonderful intellectual empire which incloses within its dominion the fate of succeeding generations, and of this Republic?"[102] Garfield's analogy clearly implied a difference in kind between education and coast surveys, suggesting the former as a more vital expense than the latter. But it also smuggled in scientific language, treating education as something "inclosed" and "bounded" like a topographer's map. Referencing several other government-funded scientific agencies, Garfield insisted that none would be possible without education.[103] At the same time, education could be studied like any of them, by gathering charts, maps, and statistics. As analogies to science, the comparisons broadened education's value; as examples of science, they narrowed it.

Garfield still strived to maintain the far-reaching ambiguity of “education.” His speech echoed Donnelly’s claim that schooling could address the issues posed by emancipated slaves, ex-Confederates, and immigrants. “We must make them intelligent, industrious, patriotic citizens,” he argued, “or they will drag us and our children down to their level.”[104] But even without specifying what education for intelligence, industry, and patriotism would entail, the demands of defining the Department’s instrumentality still led Garfield to clarify that he had a particular notion of education in mind. Whereas Donnelly had roundly condemned “ignorance” as an antithesis of education, Garfield argued that “education” itself was inevitable. “If [Americans] are not educated in the school of virtue and integrity,” he explained, “they will be educated in the school of vice and iniquity.” A person could be educated to “good or evil,” to “think rightly or wrongly.”[105] In claiming multiple varieties of “education,” Garfield conceded that Confederates may have been “educated,” in a broad sense, but that not all “education” had equal value. This suggested that Garfield would not be satisfied if Confederate states merely adopted education systems. Those systems had to pursue certain ends. By implication, the Department would have to privilege some forms of education over others. Ultimately, Garfield’s attempt to promote the broad, society-altering force of education through a statistical agency still trended toward a definitional narrowing with a specific curriculum. The heteroglossia of “education” as a social force simply resisted easy compression into the monoglot statistical idiom.

In a vote taken right after Garfield’s speech, the bill failed to gain approval by a margin of 61 to 59, with Stevens among the majority of “nays.”[106] Unfazed, Garfield proposed the bill again on June 19. This time, thanks to some behind-the-scenes

lobbying, the bill passed by a margin of 80 to 44.[107] After a brief debate along similar lines, the Senate passed the bill the following February.[108] The Senate's arguments produced only one change in the legislation, opting to downgrade the name of the agency from a "Department" to a "Bureau of Education."[109] More symbolic than substantive, this change nonetheless anticipated ongoing anxieties over the importance, role, and powers of the agency during later arguments.

"But a Glass Eye": Republican Cross-Purposes in Promoting Education, 1868-1871

After its founding, the Bureau of Education faced a whirlwind in annual congressional appropriations debates. It had barely begun operations when the House Committee on Appropriations attempted to quietly deny its funding in February of 1868.[110] Over the next four years, its funding was halved, then restored, then doubled; its staff was cut to just three, then gradually expanded to ten; its name demoted to an Office, then elevated back to a Bureau; its place was moved from an independent agency to the Department of Interior.[111] Throughout debates over the proper name, size, and locus of the Bureau's operations, congressional leaders relied on metaphors of "seeing." Garfield implored that eliminating the Bureau would be like tearing down a valuable lighthouse in the name of austerity. "I am not one of those who seek to pluck out the eyes of the nation," he argued.[112] Similarly, Donnelly asserted the Bureau provided "an eye watching the condition of that whole country, in an educational point of view."[113] Opponents expressed skepticism toward the Bureau's purported "vision." One of many Republicans to challenge the Bureau, Theodore M. Pomeroy of New York rejoined that the Bureau was "but a glass eye; it has no sight in it; it has no power; it cannot inspect the system of education anywhere in the United States."[114]

From Republicans like Pomeroy, the Bureau's supporters encountered not just states' rights intransigence, but a fundamental disagreement over the whole concept of rational, technocratic education policy. Unlike Democrats and conservative Republicans, these Bureau opponents did not wholesale reject federal involvement in education. Rather, they questioned the notion that aggregating educational data about school structures, literacy rates, educational funding, and student attendance would actually reveal any meaningful perspective on schooling. Encountering opposition to their whole vision of indirect policymaking, Bureau supporters had to reshape their defenses in each appropriations debate. In the process, they revealed the limitations of promoting a rational language of "education" while still touting it as a broadly-conceived public good.

To promote education at a national scale, the Bureau's supporters eschewed direct aid to education, instead hoping to distribute information to influential policymakers at the state level. As Garfield put it, the beneficiaries of the Bureau were the advocates and administrators in states who needed sources of outside advice and support. "[A]ll through the southern States they want, not teachers merely, but they want to know what the best systems of education are in the various States of this Union."[115] Throughout the debates, congressional radicals from the South reiterated their state superintendents' desire for more information on other states' efforts.[116] As Rhode Island Representative Thomas Jenckes recounted, he once ran into a southern school commissioner in a DC bookstore looking for information on other states' public schools. Due its underfunding, Jenckes lamented, this educational leader did not even know the Bureau existed.[117]

In the language of synoptic state-building, providing vision to these top-level administrators (or the state legislators trying to bring such positions about) was the first,

requisite step in building broader, more uniform systems. As William F. Prosser of Tennessee remarked, the Bureau provided a necessary starting point. Before educating, policymakers had to "tell how many children need to be educated."[118] Since America's division of state and federal authority denied more direct systemization, a simple informational Bureau offered the most certain way to aid future superintendents in replicating better states' systems, or political leaders in galvanizing public opinion for school reform. Summarizing the proponents' continued faith in what the Bureau could reveal about the polity, Illinois Republican Jehu Baker described the Bureau as providing "statistics of the mind, of the mental culture of the Republic."[119]

Conversely, many congressional leaders who supported education in principle viewed the Bureau's efforts to represent "mental culture" with skepticism. In their view, it only benefitted elite professors, politicians, and administrators, at the expense of the actual teachers and students.[120] This was the thrust of Thaddeus Stevens's critique of the Bureau, which he delivered concisely and incisively on July 2, 1868.[121] The eldest statesman's speech accompanied his alternative proposal, which "repeals this educational bureau and substitutes common schools in this District in its place."[122] Lambasting the out-of-touch curricular priorities of the Commissioner of Education's first report, he objected: "Whoever, sir, thought of educating the negroes to vote by teaching them Greek and Latin?" Supporters of the Bureau seemed more interested in teaching toward "a high scientific polish" than grappling with the immediate needs of former slaves and schoolteachers.[123] When Garfield tried to defend the Bureau as a continuation of past federal efforts like the Ordinance of 1787, Stevens interjected "was not that for the education of the common people and not the nabobs of the country?"[124]

Stevens would die later that same year; prior to his demise, other congressmen joined him to critique the Bureau's emphasis on elites instead of students. Republican John F. Farnsworth of Illinois directly challenged the whole billiard ball logic of statistical influence, questioning how "a gentleman stuck up here in the third or fourth story of some building in Washington" could, through disseminating "learned statistics" to other men "who never were inside a school-house," somehow influence a student's learning.[125] He doubted whether the so-called "eye" on education could actually see without direct exposure to classrooms.

It is important to recognize that Stevens and Farnsworth were both radical Republicans. Both shared a commitment to strengthening the federal government after the Civil War and actively supported freedpeople's education. The two radicals simply preferred that the government's money to be allocated directly to fund schools and classrooms, as in Stevens's alternative proposal to fund schools in DC.[126] Farnsworth insisted it was folly to offer "a book for the learned" over resources for the poor.[127] "If this was an appropriation to purchase school-books, spelling books, and primers, to be distributed among the poor for the country," he argued in one debate, "I would vote for it."[128] In each appropriations battle, Farnsworth focused on this theme, arguing to privilege the more immediate material needs of students. During an 1870 appropriations debate, he remarked, "Children cannot go to school unless they have clothing and shoes. Why not establish a bureau of clothing or a bureau of shoemaking?" Bureau supporters rejoined that the government *did* provide Department of Agriculture reports "in regard to the best method of raising hemp, flax, cotton, &c." and Patent Office publications "in regard to the making of shoes, clothing, &c." But Farnsworth stood his ground, calling it

"absurd!" that the Commissioner of Education would each year produce a dense report "to educate these shoeless and clothesless black children" in the South.[129]

At its core, Farnsworth's critique accepted a limited scope of federal influence beyond the direct allocation of material provisions.[130] When it came to education, at least, Stevens and Farnsworth preferred policies to provide for certain resources directly, or to explicitly institute mechanisms that would engage in resource allocation. In contrast, Garfield and other Bureau supporters advocated for an authority figure who could, over a longer span of time, shape the choices of state leaders. For Farnsworth, this notion was problematic, not least of all because the benefits of education were, themselves, hard to materially identify or promote. "You cannot send out education as the Commissioner of Agriculture does seeds, done up in parcels," he explained. It had to emerge more organically from regional culture. "Education must start from the root, from the home, with the primer and the spelling-book. Education must be patronized by the States, by the establishment of schools."[131] Material aid like textbooks helped with this endeavor. Layers of elite rhetoric could not. Offering a biting critique of Garfield's rationalistic philosophy, he claimed his Ohio colleague had "gone mad." "He seems to suppose that the principal object of the Government is to gather statistics."[132] Garfield's statistical idiom had simply not yet become a taken-for-granted aspect of the language of education policymaking for many of his fellow congressmen.

The Bureau's supporters also faced an unwelcome fixation on the character of the Commissioner of Education, indicative of their transitional moment in the language of public policy. As Porter argues, shifts to statistical policymaking operate hand-in-hand with a presumption of objectivity and the "exclusion of judgment."[133] If the Bureau was

meant to promote an irrefutably objective, synoptic view of education, by this criteria it struggled. From the moment Congress confirmed Henry Barnard as Commissioner on March 16, 1867, the quality of his once-vaunted expertise fell into question. Subject to scrutiny from professional educators and congressional leaders alike, his brief tenure of three years was beset with delayed reports, jurisdictional confusion, and a scandal over the firing of a clerk.[134] As a result, Barnard earned little respect from Congress. In Stevens's words, the Bureau was merely "the gathering up of these facts by a worn-out man, who embodies them in his report."[135]

A running joke about Barnard's whereabouts captured a telling aspect of his diminished character. Garfield's bill had, problematically, not explicitly provided office space for the Commissioner. As the Bureau's offices relocated multiple times, members of Congress mocked the difficult-to-locate agency.[136] In one appropriations debate, for instance, Republican Elihu B. Washburne of Illinois mocked Barnard for operating from a tiny office above a restaurant. (When pressed, he jested that "[i]t is very convenient" to work over a restaurant.)[137] Uncertainty about the location of Barnard's office reflected a deeper apprehension about what it meant to have an institution predicated not on traditional understandings of leadership, but on data collection. How could such an invisible presence have its eyes upon the entire nation? Tellingly, Bureau supporters reacted to these claims by straddling the discursive criterion of character and objectivity, attempting both to exonerate Barnard while stressing the inconsequence of a particular person's character to the Bureau's broader function.[138]

Even as Barnard's tenure drew to a close in 1870, skepticism persisted about the potential of one person to "see" national education, including those who accepted the

basic premises of statistical social science. That May, Senator Orris S. Ferry of Connecticut questioned the Bureau's logic of aggregation. The Bureau's power was restricted to gathering statistics, he noted, yet "not one iota of power or capacity is given by any law to the department of education for the purpose of collecting those statistics."[139] To really be efficacious, he argued, the Bureau would need to be empowered like the Census Bureau to "appoint officers all over the United States to go among the people, to question them, to collect the statistics," and in a uniform fashion gather that information in Washington.[140] Sounding the same theme, Republican Senator James B. Howell of Iowa contrasted the Bureau from its model, the Department of Agriculture. Whereas agriculture had a robust network of well-developed voluntary associations at the local level, education lacked such an infrastructure of influence. To fulfill the Bureau's lofty objectives, he argued, Congress would need to appropriate at least a million dollars to the Bureau—nearly 70 times its budget—to develop a direct supervisory role in the states.[141] Neither Ferry nor Howell sought to follow through on such plans. Their proposals demonstrated the disconnection between the Bureau's broad vision and what Howell dubbed the "inadequate instrumentality" of its actual activity.[142]

Ferry and Howell's critique struck at what was, by 1870, an exposed nerve for the Bureau's backers. It is hardly coincidental that, during this same year, Barnard began contemplating more direct ways for the Bureau to exert influence, while Representative George Frisbie Hoar began his agitations for a "national system of education."[143] Though newly-appointed Commissioner John Eaton promised the Bureau new life, the agency had not lived up to its founders' vision. Confronted by the criticism that the Bureau could only meet its goals with a massive, nationwide army of bureaucrats, proponents

sharpened their conception of the Commissioner's role. For instance, Republican Philetus Sawyer of Wisconsin rejected Howell's contention that the Bureau could only exert significant influence with a massive workforce. Instead, Sawyer suggested that a more bounded, nuanced synthesis of state and international education reports would be a better service than the tomes Barnard had been issuing. He sought "a report of the condition of education" assembled from existing reports, "which, if properly performed, will tend to invigorate and to renovate the educational systems of the whole country."[144] The key phrase in this comment was "if properly performed." Sawyer placed a normative expectation upon the Commissioner, concerning himself more with the report's utility than the expert's judgment. The remark foreshadowed the political pressures that would shape the emergent statistical idiom of education during the first year of Eaton's tenure.

"Mere Book-Making": Deciding What the Synoptic State Should See, 1871

When John Eaton began as Commissioner of Education on March 16, 1870, he found that Barnard had left him with "rooms… so crowded with books, pamphlets, and desks as to be wholly unfit for successful clerical work."[145] The disarray of the office reflected Barnard's working style of gathering massive amounts of information and loosely organizing it. He had built his career assembling 800-page journals for dissemination to educational organizations. Educators widely praised such work, but members of Congress condemned it as impractical during his time at the Bureau.

By contrast, Eaton arrived with a résumé well-suited to the rational demands of Congress. Ulysses S. Grant had previously enlisted him to organize the first camps for freed slaves during the Civil War. Eaton helped to restructure the Freedmen's Bureau and served as Superintendent of Public Instruction in Tennessee during a period of postwar

tumult.[146] By all accounts, Eaton had a deeper familiarity with the language of rational policymaking, the nuances of Reconstruction politics, and the demands of bureaucratic writing. Yet his first publication for the Bureau faced more explicit, scathing criticisms than Barnard's ever had.[147] He was caught in a shift in the priorities of congressional critics who, acquiescing to the Bureau's continued existence, instead focused on evaluating reports themselves for their objectivity and practicality.[148] Under Eaton, the nature of the Bureau debate shifted from a focus on whether the Bureau *could* see to how it *should* see. In this shift, Bureau adversaries explicitly accused Eaton of adopting an overly-broad concept of "education," one so all-encompassing as to be impossible to research or consolidate in a report. Confronted by efforts to censor, revise, and slash portions of Eaton's reports, the Bureau's advocates groped toward a delimitation of what a synoptic vision of American education would include.

The undercurrents of appropriations debates during Barnard's tenure foreshadowed the more explicit critiques Eaton would face. Abstractly, congressional leaders expressed anxieties about the government adopting a role as a vessel of political influence, when that role seemed better suited for extra-governmental educational associations. This concern seemed particularly worrisome given that the subject was school curriculum. Even before the Barnard published his first *Annual Report* in 1868, Illinois Republican Abner C. Harding complained to the House, "I am jealous of national establishments for purposes of this character, which may, perhaps, in the end, accomplish a control of public opinion." The case for education should be promoted through "philanthropy, patriotism, and morality," Harding argued, not the government.[149] Likewise, congressional critics raised concerns about political content within the pages of

the Bureau's *Annual Report.* Democrats like Samuel S. Cox of New York protested that the Bureau might help "prejudice the minds of the rising generation against the Democratic party."[150] He feared that the Bureau's leader would exert undue influence on the adoption of textbooks across the country. Stoking racial anxieties, he speculated that a future Commissioner might be swayed by growing populations of Chinese immigrants to "have Confucius as well as confusion introduced into our national system."[151] Given these political apprehensions, the Bureau's opponents took particular umbrage with Barnard's decision to publish Garfield's 1866 speech proposing the Bureau of Education in the published report.[152] As Farnsworth chided in February of 1870, perhaps he would share Garfield's enthusiasm for the Bureau if the Commissioner provided *him* with a "further and wider circulation for my speeches on the subject of education."[153]

The more substantive critique of Barnard's first report took aim at the absence of synthesis in his writing. Anticipating this complaint, Barnard began the report with a defensive explanation of the difficulties of combining disparately-constructed state reports.[154] While he did face this challenge, the over 900-page report also reflected Barnard's expansive concept of "education," striving to embody the vastness of how Americans spoke about schooling. He took his field of inquiry to include primary, secondary, and university education; common schools and private schools; cultural institutions like art galleries and lyceums; and even informal modes of acculturation. Compared to the statistical language of Garfield and Moulton, Barnard also treated educational "research" as a far broader domain. He incorporated educators' memoirs, pages of architectural designs, copies of federal laws, lengthy histories of colleges, speeches by political leaders commemorating school openings, pictures of schoolhouse

radiators, a province-by-province breakdown of schools in Prussia, and dozens of other harder-to-classify pieces of information.[155]

None of the material in Barnard's report was unusual for educational research at the time, which still relied most heavily on the local knowledge of practitioners. But members of Congress were not sure what they were reading. Senator Thomas A. Hendricks of Indiana dubbed the report "a compilation and collection together of scraps… of floating matter."[156] Questioning the need to publish political treatises or expensive illustrations of school buildings, Hendricks could not fathom how this "gathering together of old things" would provide more helpful information to teachers than the more up-to-date, synthetic annual report of Indiana's superintendent.[157] Defending Barnard's report from Hendricks, James Dixon of Connecticut remarked that it was "the product, in fact, of a life spent in education."[158] For the Bureau's opponents, though, that was precisely the problem. Nothing in Barnard's massive personal educational library was off limits.

In its form, Eaton's first report corrected for many of the complaints lobbed at his predecessor. Its Table of Contents fit on a single page, it began with a point-by-point summary of its materials, and it provided identically-formatted comparisons of school systems in each state (or provided an explanation when this was not possible).[159] Even with a large appendix full of other miscellaneous topics, the report more closely embodied the technocratic ideal than Barnard's efforts. In perhaps the closest attempt to capture Garfield's synoptic idea of policymaking, Eaton incorporated a section of "Bird's Eye Views" of illiteracy rates in each state. Innovatively for American policymakers at the time, these consolidations of Census Bureau data purported to provide "'pictures of

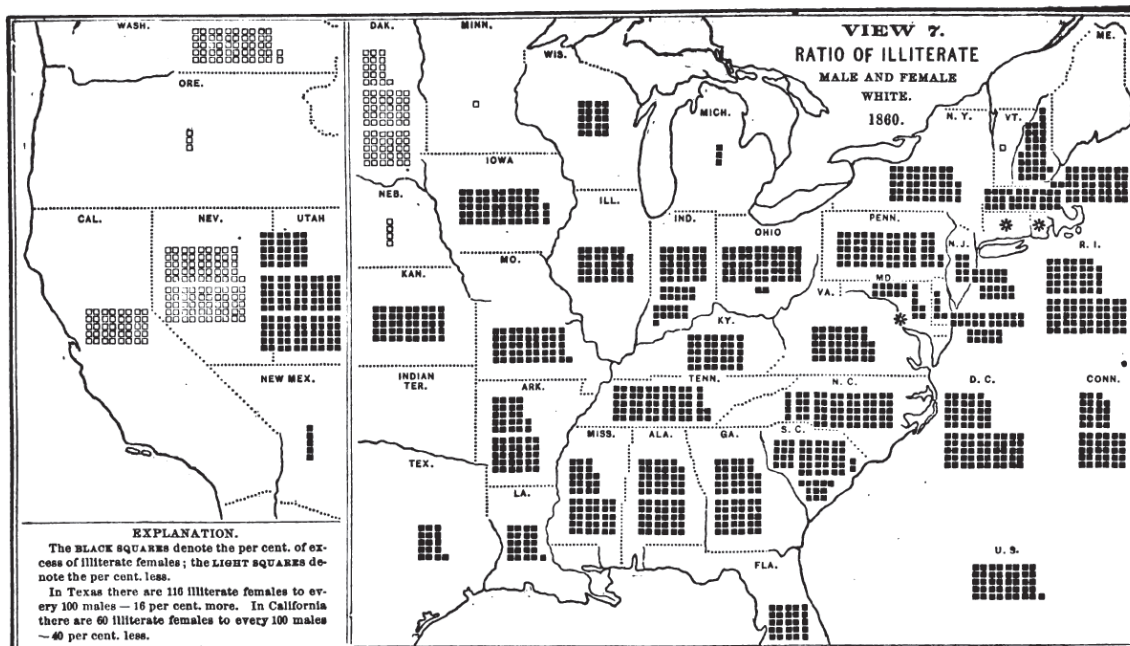

Figure 3. Edwin Leigh, "View 7: Ratio of Illiterate, Male and Female, White. 1860," in *Report of the Commissioner of Education Made to the Secretary of the Interior for the Year 1870, with Accompanying Papers*, ed. John Eaton (Washington, DC: Government Printing Office, 1870), 492.

numbers'" as they would appear "to the eye of a person passing over in a balloon" in each decade.[160] That Congress sought a Commissioner inclined toward this type of reporting, and that Eaton pursued the course he did, exhibits the relative weakness of education's professional autonomy even at this early moment in its national development. As Porter argues, in professions with an "absence of a secure and autonomous community," rational methods of quantification have historically been pursued as "a strategy of impersonality in response to pressures from the outside."[161] Barnard was, by all accounts, the nation's preeminent educational expert, considered by many to be the heir to Horace Mann. As a government agent, though, this authority provided insufficient justification for the information or opinions he deemed "important" to distribute. Eaton's implementation of rational structure, synoptic imagery, and statistical evidence into his reports manifested a shift toward a "strategy of impersonality," one providing a "Bird's Eye View" but less concerned with the expertise of the bird.

Despite overtures to Congress, the pressures of critiquing the government from the inside still impressed on Eaton. In particular, the Bureau's challengers targeted elements of his first report that privileged qualitative evaluation. The troubles began on February 11, 1871, when Democratic Senator Thomas Bayard objected to printing and distributing Eaton's report without having a section about his state of Delaware "expunged."[162] Unable to obtain any official reports about the state, Eaton began the Delaware section of the report with a terse statement that "[t]here appears to be an absence of any school supervision."[163] In place of official claims, he instead included quotations from anonymous educators criticizing Delaware schools. (According to one Senator's paraphrase, one of the comments claimed "boys did not stand in a straight line when they stood up to spell, and that they spat tobacco juice."[164]) Bayard was incensed that Eaton would include "the mere opinions of self-styled educators, who have no official responsibility for their utterances, and not even personal responsibility for their communication is anonymous."[165] He took no issue with the following page, which included rudimentary statistics and legal details that Eaton scraped together. But "the speculations of individuals" had "no place in a publication by the General Government."[166] Supporting Bayard, Roscoe Conkling of New York suggested that the Senate should have the ability to suggest revisions or edits to the Commissioner's report if they noticed a mistake. "[T]he whole publication of such volumes as this proceeds in the idea that they are useful," he explained, and "they are sustained upon the principle which may be expressed in the phrase, 'Let there be light.'"[167]

Conkling's modest position reflected a deeper question about the role the Commissioner of Education would have in government. Would the Bureau have the

ability to supervise activities in the states without constraint, or would it be subject to censorship from those states' congressional leaders? For congressional leaders committed to the original idea of the Bureau as a way of inducing change in the states, Bayard's proposal set a dangerous precedent. As Republican Senator Frederick A. Sawyer of South Carolina explained, "if you begin by striking out one part, as soon as some other Senator reads the book and finds something that does not suit him he will want that stricken out too."[168] Senators from other states noted that the report also contained unflattering sentiments about their states, but that this was ultimately the price of having the eye of the nation upon them. "Whatever defects there are in the schools of Wisconsin, I am glad to have pointed out," Senator Timothy O. Howe remarked. The point of the report was not "to glorify the educational system" of states.[169]

Returning to Garfield's original argument for the Bureau—that it would "shame" states into improving their education systems—several Senators argued that Eaton's representation should provide Delaware an impetus to change. "[L]et the people of Delaware… take care that in the next report they are fairly represented," Sawyer commented.[170] "Let them blush, not the Senate," William M. Stewart of Nevada agreed. "[W]hen States appear to disadvantage a few times in this report, they will furnish the necessary information."[171] Bayard was "amazed" by this defense of the report, which he felt implied that the states "were to be lashed by falsehoods and stung into some action favorable to the views of those who had libeled them."[172] As a parent, Bayard explained, he saw it as his duty to teach children to "speak the truth," and this report set an improper example.[173] As a caution against future use of anonymous critique, Bayard's amendment passed the Senate, and page 103 of the Commissioner's report was left blank.[174]

More than political pressures, Eaton found himself caught between the centrifugal and centripetal forces of educational definition. For all his efforts to provide a more rationalistic report than Barnard, Eaton still retained the immense concept of "education" that proved so unruly for his predecessor. As he addressed in the introduction to his report, with sufficient funding and resources he could ideally address "every educational force, whether affecting body or mind, in childhood or age, of the individual or communities."[175] Democratic Senator Eugene Casserly of California found this notion of education utterly incompatible with the Bureau's purported function. Disentangling the countervailing forces upon education's meaning, on February 20th and 21st he incisively picked apart Eaton's efforts in the lengthiest speech against the Bureau delivered in Congress to this point.[176] He began by defining the narrow vision of education inscribed in the Bureau's original legislation by Garfield. "The intention of the law," he summarized, "was to provide for an inquiry and a report into the condition of common-school education in the United States, and for disseminating such information on that subject as should be beneficial."[177] Gathering research in this "specified field of powers" was a fairly straightforward task for an expert like Eaton to complete over the course of an entire year, Casserly argued. Yet Congress nearly doubled the expenses of the Bureau the previous month to hire more clerks and researchers. What could explain the "inefficient" management of such a straightforward task?[178]

Casserly posited the problem as Eaton's unruly definition of education. Instead of the 200-page report the letter of the law would require, the Bureau insisted on "a book of five hundred and seventy nine pages" that could well have been titled "*De omnibus rebus et quibusdem aliis*—'About everything in the world and several things besides.'"[179]

Reading off the names of the report's miscellaneous sections, he questioned Eaton's choices. Why, he asked, did the report need sections on Ecuadorian schools, on medical education, on infant academies in Paris, or on the nation's public parks? Why did it include already-published proceedings from educational conventions?[180] To the laughter of the Senate galleries, Casserly read through and mocked pages of common sense aphorisms Eaton gathered from various school districts to capture conventional wisdom about teaching. For one example of Casserly's wisecracking interrogation of the text:

> The town of Charlestown says, under the head of "good teachers:" "The town has a fine appetite for good instruction." We are not told whether the fine appetite of the town is the result of hunger, or of good digestion, or of wholesome exercise in the fields of education; we know only that the town has a fine appetite.[181]

For all Eaton's efforts to distance himself from Barnard, Casserly still condemned his report as "a farrago of incongruous and improper matter which has no business there; the rankest specimen of mere book-making I think I ever saw."[182] In choosing a broad definition of education, Casserly contended, Eaton had "enter[ed] on an indefinite field of inquiry" that would "require all the clerks, all the translators, all the agents, and all the money given to him by the present bill," and much more besides.[183] If Eaton took his subject to be "the whole range of human knowledge and human effort," he argued, then of course his requests for funding would go on forever.[184]

Ultimately, Casserly's argument dissociated the notion of education as a solution to sweeping political problems from the rational task of the Bureau itself. In the process, he imagined an extremely narrow institutional role for the Bureau. For instance, Casserly questioned Eaton's choice to include reports on topics like labor unrest and Chinese

immigration. He contended that these subjects were too political to fall within the Bureau's purview. Labor and immigration had some bearing on education, to be sure, but were "too difficult, too much debated, to be dealt with in the common school," let alone resolved by Eaton's report.[185] If the Bureau refrained from political commentary on these issues, Casserly insisted, the only "facts" on the subjects left to report would be truisms that did not need any evidence—for example, that "a man is a better workman for being educated."[186] When a colleague noted that many Southerners held the contrary view, that uneducated workers tended to be more obedient, Casserly scoffed at hopes of persuading them to the contrary. If people truly believed that, "no number of commissioners, and no amount of 'reports' will produce the slightest impression upon him or them."[187] By the end of Casserly's address, the Bureau could only address a small domain of topics. Its research could not be contested, but could not be too obvious. The evidence needed to be useful to administrative experts, but the Commissioner himself could not advocate anything that did not *directly* bear on education.

The House, still dominated by the Republican Party, would not reverse course on the Bureau or draw its boundaries as narrowly as Casserly hoped. He offered an amendment to slash the Bureau's funding; the Senate rejected it by a margin of over four to one.[188] In the House, Illinois Representative Thompson McNeely made similar arguments in an attempt to block printing of the entire report, beyond the Commissioner's short summary. McNeely, too, failed to halt support for the Bureau.[189] Nor did Eaton modify his approach in the following year's report. With double the appropriation, the Bureau in 1872 published a report that was twice as long and just as full of miscellany.[190] The shift to educational policymaking with the narrow, rational view Casserly prescribed

would take time. But his forceful arguments proved prescient. Even Sawyer, who defended the report repeatedly during Casserly's speech, ultimately conceded that the Bureau's reports should provide "a well-digested report which embodies results rather than details, which gives the final conclusions at which he has been enabled to arrive by a consideration of this great variety of matters."[191] Sawyer simply saw this as a reason to provide more clerical support, not less, because the work of selection and synthesis in itself required a great deal of time and expertise. Ultimately, the notion of a Bureau capable of "seeing" and synthesizing education in all its vibrancy, its ubiquity, and its myriad functions in American life was simply incompatible with the idea of a synoptic report. To see everything meant focusing on a few measurable things, and not, as Casserly put it, "the whole circle of the arts and sciences, of literature and arms, of human knowledge and human effort."[192]

Centrifugal Rhetoric, Centripetal Policy, and the Educational Imaginary

Throughout the Bureau debates, the spirit of Horace Mann, the arch-Secretary of Education and exemplar for future political leaders of education, loomed large. Amidst the battle over Bayard's proposed revisions to the Commissioner's report, Senator Henry Wilson of Massachusetts recalled the school reformer's influence:

> I remember, when Horace Mann took the lead more than thirty years ago in Massachusetts, and exposed the school system of the State, the people were amazed. They denied, they protested, they declared in the Legislature that what he said was not true. They undertook to overturn his statements, and even to overturn the school system; but they failed altogether.[193]

When he gathered more evidence, when he collated more reports, Mann discovered that the "evils of the system" had, in fact, been "underestimated."[194] Wilson argued that, like Mann, Eaton would be vindicated by future reports that "will prove that Delaware in her system is altogether behind what even this report represents it to be."[195] Like many of his fellow Bay Staters in Congress, Wilson viewed the inexorable march of progress in Massachusetts as a template for the transformation of the nation after the Civil War.

But the model of Mann, a model Barnard strived to replicate, proved to be a difficult one to graft upon the postbellum shifts in political culture. While Mann had a penchant for standardization and numbers, his reports were steeped in the dense style of Boston's genteel rhetoric.[196] Blurring idioms of civic republicanism, egalitarianism, commerce, and democracy, he posited education as a broad panacea for social ills. The educational leaders and politicians devising the Bureau of Education lived in another time. Forged in the turmoil of Civil War, they groped toward languages of stability in a time of profound change. For Garfield and Eaton—the young general that founded the Bureau and the one who led it—this meant charting an uncertain course toward a language of educational policymaking. Unlike Mann, who could crisscross his state on horseback, they needed ways to imagine education across thousands of miles and a fragmented polity. The ways they chose, culled from the language of social science, entered an uneasy relationship with the vast expectations they placed upon education.

As part of a broader contest over education's role in Reconstruction, the Bureau debate captured congressional leaders in the midst of hashing out how a nation might "see" education. Over the longer term, this had deeper implications for the cultivation of an educational imaginary, of the taken-for-granted ways Americans would come to think

about schooling and its place in political life. For the Bureau arguers, at stake was how policymakers would know literate citizens from illiterate ones, effectively-run systems from failures, astute pedagogy from aimless instruction. In posing these questions, they discovered that "education" offered an unstable way of intervening into society. As John Carson writes, Americans began the 19th century with a vague notion of "talent," with its elevated importance as a way of reconciling democratic imperatives against those of republican virtue and the marketplace. By the century's end, Americans had adopted a more social scientific language of "intelligence" that could be measured, demarcated, and attributed to inherent biological characteristics.[197] What I hope to emphasize, and what the Bureau debate illustrates, is that this shift was not a clear-cut turn from an "old" to a "new" language of education. The broad conceptions of education that dominated antebellum arguments of Whig and Jacksonian school proponents did not completely fade with the creation of synoptic modes of governance. Even for burgeoning technocrats like Garfield, the vast curative force of education was a crucial part of his advocacy.[198] Among his supporters and opponents, a wide range of educational definitions collided, many incompatible with the rationalistic basis for the Bureau.

The reason for these countervailing forces, I posit, is imbedded in the concurrent demands of rhetoric and policymaking that could not be disentangled. Then, as now, politicians wielded education ambiguously, invoking it to solve a diversity of social problems. But bringing about education policy meant settling on some concept of education. It meant moving from deliberating over policy to laying down the law—moving, as Asen says, from "*making* meaning" to "*maintaining and enforcing* meaning."[199] As the rational expectations upon policymaking tightened in the late-19th

and early-20th century, the options for maintenance and enforcement narrowed. But the broad idealism of education as a panacea never went away. As Tracy Steffes writes, during the nationalization of school reform during this era, change was driven both by forceful movements for disparate, often contradictory, political ends and a unitizing impetus toward rational governance.[200] Caught between these impulses, the Bureau lent consistency to efforts to systematize rural education but only in line with diverse, often conflicting, local and state prerogatives.[201] Throughout the 20th century, efforts at federal policymaking have shuttled back-and-forth between these impulses, pushing for standards in one decade in response to a particular problem, only to back away from that push in the next in response to diverse resistances.[202]

Typically, accounts of tensions in federal policymaking concentrate on the push and pull of federal and state prerogatives. That is, the nuances of education are subsumed by the broader, overarching historical conflict over federalism that infiltrates so much policy argument in the United States. The Bureau debate illustrates how much these state/federal conflicts were intertwined with a struggle for education's meaning. Still today, education means many things to many people, and its force as a rhetoric social change derives in large part from the unruliness of its definition. The strong tradition of localism and states' rights in the United States preserves this unruliness by maintaining an array of possibilities in each community, by allowing diverse languages of education to coexist, at least in theory. The notion of federal standards stirs considerable protest from diverse quarters not just because of states' rights *qua* states' rights, but because it implies a foreclosing of possibilities on the educational horizon.

In the Reconstruction Era Bureau debate, firm proponents of federal intervention in the South like John F. Farnsworth still resisted a Bureau, in part, on the grounds that education systems needed to grow out of regional prerogatives rather than federal inducements. For others, the ideas of education were so diverse, so hard to pin down, that it seemed unlikely a Bureau operating in a limited, rational idiom would exert any influence at all. The same tensions have inflected the historical trajectory of federal leadership in education in its various guises over the past 150 years, as leaders struggle to make sense of educational definition.[203]

In their efforts to "get beneath" the substantive differences in judgment that produced the Civil War, the advocates of the Bureau learned that navigating the tensions of federalism would not be as easy as they imagined. The Bureau attempted to reconcile the 19th century precedent of a "hidden" federal government with efforts to shape American political sentiments. As it turned out, anxieties about preserving a government "out of sight" entailed some degree of paranoia about a government that could "see" its people. Likewise, the Bureau attempted to sidestep concerns about federal influence by crafting an approach to promoting education predicated on shaping discourse rather than providing appropriations. This touched off a conflict over the indirect chain of influence assumed by the Bureau's supporters, over the prudence of sustaining mere reports when children lacked textbooks. By 1870, frustrations over these shortcomings of the Bureau's indirect approach coalesced in efforts to introduce direct federal control over, and aid to, state education systems. The stakes of reforming national culture were too high to leave education in the hands of a single Commissioner or the terms of a single, rational language.

Notes: Chapter Three

[1] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3705.

[2] Thaddeus Stevens, *The Famous Speech of Hon. Thaddeus Stevens of Pennsylvania in Opposition to the Repeal of the Common School Law of 1834, in the House of Representatives of Pennsylvania, April 11, 1835* (Philadelphia, PA: Thaddeus Stevens Memorial Association, 1904), 6-7.

[3] Stevens, *The Famous Speech,* 8.

[4] Stevens, *The Famous Speech,* 5.

[5] Stevens, *The Famous Speech,* 7.

[6] Stevens, *The Famous Speech,* 6.

[7] On Stevens's subsequent support for public education, see Christopher Shepard, "Making No Distinctions Between Rich and Poor: Thaddeus Stevens and Class Equality," *Pennsylvania History: A Journal of Mid-Atlantic Studies* 80 (2013): 37-50.

[8] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3050-3051.

[9] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3704.

[10] Shepard, "Making No Distinctions between Rich and Poor," 40-48.

[11] For example, the 1859 volume of the *Ohio Education Monthly* discusses several professional activities in which Garfield engaged that year. In April of 1859, he attended a Teachers' Institute aiming to improve and better standardize educational practices in Ohio. He delivered a speech to "[h]undreds" of educators on the "Theory and Practice of Teaching." Along with other coordinators of the event, he signed a resolution to promote the *Ohio Journal of Education* and to "earnestly recommend to the teachers of our county

to use their beast endeavors to extend its circulation." A few months later, the *Journal* endorsed Garfield's campaign for the State Senate, noting his allegiance to the cause of advancing the cause of public education in the state: "Mr. Garfield is right on the School Question." Additionally, after the success of Garfield and several other educators in their election to the legislature, the *Journal* counted Garfield among "several members who are distinguished among their fellow-citizens for eminent interest in educational progress and for practical experience in the administration of school affairs." In particular, the *Journal* praised Garfield for being "favorably known as a teacher at Institutes, and as a lecturer on education." "Intelligence: Cuyahoga Co. Teachers' Institute," *Ohio Journal of Education* 8 (June 1859): 187-188; "Editorial," *Ohio Journal of Education* 8 (September 1859): 286; "Editorial," *Ohio Journal of Education* 8 (November 1859): 349.

[12] Colin Woodard, *American Nations: A History of the Eleven Rival Regional Cultures of North America* (New York: Penguin Books, 2012), 173-182. The Reverend G.H. Wells noted this reputation of the Western Reserve in his eulogy for Garfield. Reverend G.H. Wells, "An Unparalleled Spectacle," in *Gen. Garfield from the Log Cabin to the White House Including his Early History, War Record, Public Speeches, Nomination, Inauguration, Assassination, Death and Burial, also, The World's Eulogies,* ed. J.B. McClure (Chicago: Rhodes & McClure Publishers, 1881), 194. The page number refers to the second part of the book, *The World's Eulogies.*

[13] Not to be confused with the formal movement for "Technocracy" in the mid-20th century, I refer here more broadly to a set of social scientific pressures that emerged in American politics during the mid-19th century. Fischer writes that technocracy is a "system of governance in which technically trained experts rule by virtue of their

specialized knowledge and position in dominant political and economic institutions." He also stresses that technocratic modes of expertise, rooted in positivistic philosophies, tend toward quantification and rationalization. Later, I address how these two impulses of expertise and quantification conflict in the discourses of Bureau proponents. Frank Fischer, *Technocracy and the Politics of Expertise* (New York: Sage, 1990), 17; 68-70. Also see Howard P. Segal, *Technological Utopianism in American Culture* (Chicago: University of Chicago Press, 1985), 98-128.

[14] On the blurring of educational idioms in antebellum America, see Rita Koganzon, "'Producing a Reconciliation of Disinterestedness and Commerce': The Political Rhetoric of Education in the Early Republic," *History of Education Quarterly* 52 (2012): 403-429; John Carson, *The Measure of Merit: Talents, Intelligence, and Inequality in the French and American Republics, 1750-1940* (Princeton, NJ: Princeton University Press, 2007), 40-60.

[15] James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998), 4; Mary Stuckey, "FDR, the Rhetoric of Vision, and the Creation of the National Synoptic State," *Quarterly Journal of Speech* 98 (2012): 297-319.

[16] Charles Taylor, *A Secular Age* (Cambridge, MA: Harvard University Press, 2007), 392-393.

[17] On the degree to which such measures are taken for granted in the American context, see Carson, *The Measure of Merit,* 159-194; 271-280.

[18] For recurring battles over efforts to standardize education in the 20th century, see Jal Mehta, *The Allure of Order: High Hopes, Dashed Expectations, and the Troubled*

Quest to Remake American Schooling (New York: Oxford University Press, 2013); Kendall Phillips, *Testing Controversy: A Rhetoric of Educational Reform* (Cresskill, NJ: Hampton Press, 2004).

[19] Charles Taylor, "Philosophy and Its History," in *Philosophy in History: Essays on the Historiography of Philosophy,* ed. Richard Rorty, J.B. Schneewind, and Quentin Skinner (New York: Cambridge University Press, 1984), 24.

[20] On the transitory state of social scientific governance and rational planning during this period, see Thomas L. Haskell, *The Emergence of Professional Social Science: The American Social Science Association and the Nineteenth-Century Crisis of Authority* (Urbana: University of Illinois Press, 1977); Stephen Skowronek, *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920* (New York: Cambridge University Press, 1982), ix. For a global perspective, see Theodore M. Porter, *The Rise of Statistical Thinking, 1820-1900* (Princeton, NJ: Princeton University Press, 1986).

[21] Scott, *Seeing Like a State,* 4.

[22] See, for instance, Mehta, *The Allure of Order;* Tracy L. Steffes, *School, Society, & State: A New Education to Govern Modern America, 1890-1940* (Chicago: University of Chicago Press, 2012); David Tyack and Elisabeth Hansot, *Managers of Virtue: Public School Leadership in America, 1820-1980* (New York: Basic Books, 1982); David B. Tyack, *The One Best System: A History of American Urban Education* (Cambridge, MA: Harvard University Press, 1974); Raymond E. Callahan, *Education and the Cult of Efficiency: A Study of the Social Forces that Have Shaped the Administration of Public Schools* (Chicago: University of Chicago Press, 1962). To be clear, I am not contesting

the thrust of these various histories that the Progressive Era marked a substantial turn in educational policymaking. My purpose is to contextualize these studies in a historical reconsideration of the role the Reconstruction and Gilded Age periods played in facilitating a transition between "the republican idea of the nation-state" to the "administrative state" of the Progressive Era. Williamjames Hull Hoffer, *To Enlarge the Machinery of Government: Congressional Debates and the Growth of the American State, 1858-1891* (Baltimore, MD: Johns Hopkins University Press, 2007), ix-x.

[23] Charles Taylor, *Modern Social Imaginaries* (Durham, NC: Duke University Press, 2004), 30.

[24] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3046.

[25] I draw this distinction of heteroglossia/monoglossia from James Jasinski, "Heteroglossia, Polyphony, and *The Federalist Papers,*" *Rhetoric Society Quarterly* 27 (1997): 23-46; Mikhail Bakhtin, *The Dialogic Imagination: Four Essays,* ed. Michael Holquist; trans. Caryl Emerson and Michael Holquist (Austin: University of Texas Press, 1982), 324-331.

[26] Scott, *Seeing Like a State,* 15.

[27] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:60.

[28] Brian Balogh, *A Government Out of Sight: The Mystery of National Authority in Nineteenth-Century America* (New York: Cambridge University Press, 2009), 4.

[29] Lawrence A. Cremin, *American Education: The National Experience, 1783-1876* (New York: Harper and Row Publishers, 1980), 9-10; *Journals of the Continental Congress, 1774-1789,* ed. Roscoe R. Hill (Washington, DC: Government Printing Office, 1904-37): 32:334-344.

[30] For a history of advocacy before 1866, see Donald R. Warren, *To Enforce Education: A History of the Founding Years of the United States Office of Education* (Detroit, MI: Wayne State University Press, 1974), 47-77; Edith Nye MacMullen, *In the Cause of True Education: Henry Barnard and Nineteenth-Century School Reform* (New Haven, CT: Yale University Press, 1991), 243-279.

[31] Warren, *To Enforce Education,* 79-80.

[32] Emerson E. White, “National Bureau of Education,” *American Journal of Education* 16 (1866): 180.

[33] Hoffer, *To Enlarge the Machinery of Government,* x-xi.

[34] Hoffer, *To Enlarge the Machinery of Government,* 92; Allan Peskin, “The Short, Unhappy Life of the Federal Department of Education,” *Public Administration Review* 33 (1973): 572-575; Allan Peskin, *Garfield* (Kent, OH: Kent State University Press, 1978), 294.

[35] White, “National Bureau of Education,” 185.

[36] In a well-received speech to the American Social Science Association, Garfield cited the philosophies of statistical government proponent George Cornewall Lewis as ushering in a new age of government. Lewis wrote that political judgments should be rendered by “comparing the numbers of the subject under consideration, by noting whether they have diminished, or increased, or been stationary, and by inquiring into the cause of such a state of things.” Peskin, *Garfield,* 306; George Cornewall Lewis, *A Treatise on the Methods of Observation and Reasoning in Politics,* Vol. 1 (London: John W. Parker and Son, 1852), 134.

[37] Speech reprinted in its entirety in John Clark Ridpath, *The Life and Work of James A. Garfield: Twentieth President of the United States* (Cincinatti: Jones Brothers and Company, 1881), 217-218.

[38] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3050.

[39] The Biblical reference is from the full version of the speech that Garfield had printed and distributed. He did not budget enough time to get to his peroration on the floor of Congress. James A. Garfield, “The National Bureau of Education,” in *President Garfield and Education: Hiram College Memorial,* ed. Burke A. Hinsdale (Boston: James R. Osgood and Company, 1882), 183-213.

[40] Haskell, *The Emergence of Professional Social Science,* 102.

[41] White, “A National Bureau of Education,” 184.

[42] Theodore M. Porter, *Trust in Numbers: The Pursuit of Objectivity in Science and Public Life* (Princeton, NJ: Princeton University Press, 1995), ix. More broadly, Reconstruction was a transitional moment between character-based, affiliative models of citizenship and the expertise-centric “informed citizenship” model of the Progressive Era. See Michael Schudson, *The Good Citizen: A History of American Civic Life* (New York: The Free Press, 1998).

[43] White, “A National Bureau of Education,” 184.

[44] Horace Mann, *Life and Works of Horace Mann,* vol. 3, *Annual Reports of the Secretary of the Board of Education of Massachusetts for the Years 1839-1844* (1867; rpt., Boston: Lee and Shepard Publishers, 1891). For a thorough history of the development of Mann’s rhetoric, see Kathleen Ann Edgerton, “Horace Mann: Spokesman for the Public Schools” (PhD diss., Indiana University, 1966).

[45] Cremin, *American Education,* 335-352.

[46] Lee S. Duemer, "The Agricultural Origins of the Morrill Act," *American Educational History Journal* 34 (2007): 135-146.

[47] Warren, *To Enforce Education,* 70-76.

[48] Peskin, "The Short, Unhappy Life of the Federal Department of Education," 572.

[49] On the analogy of natural to social sciences, see Scott, *Seeing Like a State,* 89-90.

[50] Alan I. Marcus, *Agricultural Science and the Quest for Legitimacy: Farmers, Agricultural Colleges, and Experiment Stations, 1870-1890* (Ames: Iowa State University Pres, 1985), 12-13; T. Swann Harding, *Two Blades of Grass: A History of Scientific Development in the U.S. Department of Agriculture* (Norman: University of Oklahoma Press, 1947)*,* 18-19; Warren, *To Enforce Education,* 70-76.

[51] For example, the intensified market pressures in the decade before the Civil War generated a clear set of measures and standards for grading, evaluating, and measuring farmers' products. William Cronon, *Nature's Metropolis: Chicago and the Great West* (New York: W.W. Norton and Company, 1991), 97-147; Porter, *Trust in Numbers,* 48.

[52] During debates over both the Department of Agriculture and the Morrill Act, for example, congressional leaders raised the specter of soil erosion as a threat to the nation's agricultural future. "Should no effort be made to arrest the deterioration and spoliation of the soil in America," Justin Smith Morrill warned, the nation's agricultural productivity and exports would dwindle. Justin Smith Morrill, *Agricultural Colleges:*

Speech of Hon. Justin S. Morrill, of Vermont, in the House of Representatives, June 6, 1862 (Washington, DC: Congressional Globe Office, 1862), 6.

[53] The format of the monthly documents issued by the agency featured what Scott calls the "regimented and orderly" aesthetic of high modernism, with charts of temperature fluctuations, explanations of measurement systems, and tables comparing crop production between the states. Scott, *Seeing Like a State,* 4; Isaac Newton, ed., *Bi-Monthly Report of The Agricultural Department for November and December, 1864* (Washington, DC: Government Printing Office, 1864).

[54] On regional disparities in education systems, see Alexis de Tocqueville, *Democracy in America*, trans. Arthur Goldhammer (1835; New York: Library of America, 2004), 349; Carl F. Kaestle, *Pillars of the Republic: Common Schools and American Society, 1780-1860* (New York: Hill and Wang, 1983), 207; Rogers Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History* (New Haven, CT: Yale University Press, 1997), 218.

[55] For a history of the evolution of educational journals like Barnard's, see Sheldon Emmor Davis, *Educational Periodicals During the Nineteenth Century* (Washington, DC: Government Printing Office, 1919), 63-91.

[56] MacMullen, *In the Cause of True Education,* 251-255.

[57] Edward Hagerman, *The American Civil War and the Origins of Modern Warfare: Ideas, Organization, and Field Command* (Bloomington: Indiana University Press, 1988), xvi.

[58] Some congressmen, to be sure, did make the explicit comparison to military organization. See, for instance, remarks of Pennsylvania Republican William D. Kelley: *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 2:1492.

[59] For example, see Donnelly's remarks: *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2967.

[60] Karl-Ernst Jeismann, "American Observations Concerning the Prussian Educational System in the Nineteenth Century," in *German Influences on Education in the United States to 1917,* ed. Henry Geitz, Jürgen Heideking, and Jurgen Herbst (New York: Cambridge University Press, 1995), 21-42.

[61] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2966.

[62] In April, Donnelly had written in his journal that he envisioned an educational agency resembling "that great institution of learning which dwelt in the imagination of [Sir Francis] Bacon," the philosopher he most admired for his immense breadth of knowledge. Toward the end of the speech, this Baconian vision had not been abandoned: "This is a foundation upon which time and our enormous national growth will build the noblest of structures. The hope of Agassiz may here be realized; or even that grander dream of Bacon, 'that university with unlimited power to do good, and with the whole world paying tribute to it." Martin Ridge, *Ignatius Donnelly: The Portrait of a Politician* (Chicago: University of Chicago Press, 1962), 101; *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2968.

[63] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2967.

[64] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2967.

[65] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2967.

[66] On employing a "distant cause" in argument, see Chaïm Perelman and Lucie Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation*, trans. John Wilkinson and Purcell Weaver (1958; trans., Notre Dame, IN: University of Notre Dame Press, 1969), 269.

[67] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2967.

[68] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2968.

[69] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2966, 2968.

[70] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2967.

[71] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2968.

[72] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2968.

[73] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2968.

[74] "If this bureau is not to have extensive ramifications throughout the country," Rogers suggested, "then it is simply for the payment of eight or ten clerks to do nothing, fifty or twenty thousand dollars annually." *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2970.

[75] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2969.

[76] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2968.

[77] As Perelman and Olbrechts-Tyteca note, the difficulty of employing distant causes lies in the weakness of the chain of relations provided. In this case, any point in the vast chasm of time between the colonial era and the Civil War could be focused upon as providing an alternative justification. Perelman and Olbrechts-Tyteca, *The New Rhetoric,* 269.

[78] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2969.

[79] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2969.

[80] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:2969.

[81] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3044.

[82] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3044.

[83] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3045.

[84] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3044.

[85] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3045.

[86] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3045.

[87] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3045.

[88] In Scott's terms, the impetus was for the "chaotic, disorderly, changing social reality" to become "something more closely resembling the administrative grid of [rational] observations." Scott, *Seeing Like a State,* 82.

[89] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3045. Illinois Senator Richard Yates similarly claimed in the Senate that the Bureau's benefit was that people "may see at a glance" the status of education. *Congressional Globe,* 39th Cong., 1st Sess., 1866, 37, pt. 3:1844.

[90] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3045.

[91] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3047.

[92] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3048. In the Senate, Republican James W. Grimes of Iowa raised a similar issue, wondering whether the bill would merely gather "second-hand" knowledge, or send out its own agents to gather information. As the Bureau seemed premised on the insufficiency of state-level data, he

argued, it would seem necessary to do the latter. *Congressional Globe,* 39th Cong., 1st Sess., 1866, 37, pt. 3:1844.

[93] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3047.

[94] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3048.

[95] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3048.

[96] F.M. Green, *Hiram College and Western Reserve Eclectic Institute: Fifty Years of History, 1850-1900* (Cleveland, OH: O.S. Hubbell Printing Co., 1901), 94-133.

[97] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3049.

[98] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3050.

[99] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3050.

[100] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3050.

[101] As Perelman and Olbrechts-Tyteca note, the essence of an analogy is that the relationships under comparison "belong to different spheres." Otherwise, the comparison is just of two examples of a similar phenomenon. Perelman and Olbrechts-Tyteca, *The New Rhetoric,* 373.

[102] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3050.

[103] Garfield made similar comparisons to government-financed expeditions, the Astronomical Observatory, the Patent Office, the Light-House Board, and, of course, the Department of Agriculture. *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3050.

[104] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3049.

[105] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3049.

[106] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3051.

[107] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 4:3269-3270. As Warren writes, between the first and second vote, five radicals aligned with Stevens shifted their votes from "no" to "yes," highlighting the role Stevens played in shaping the outcome. Other major shifts derived from opponents abstaining in the second round as a favor to Garfield, who they respected as an important rising figure in the party. Warren, *To Enforce Education,* 89.

[108] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 37, pt. 3:1842-1845, 1893, 1949. Given the proximity of the later Senate debate to the passage of the Reconstruction Acts, the issue of preparing former slaves to vote played a more explicit role in their proceedings.

[109] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 37, pt. 3:1842-1843.

[110] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 2:1139.

[111] For the attempt at abolition, see *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3702-3703. For the Bureau's demotion to an Office, see *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 2:1542-1543. For the restoration of its original funding and name, see *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 2:1494.

[112] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 2:1141.

[113] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3703.

[114] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3703.

[115] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3705.

[116] See, for example, the remarks of Tennessee Representative Horace Maynard, *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3704; remarks of Florida Senator Adonijah Welch, *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt.

3:1797; or Alabama Representative Charles W. Buckley, *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 2:1493.

[117] *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 3:1542.

[118] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 1:490.

[119] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 2:1251.

[120] Importantly, this criticism reflected broader divides in the educational labor force. Teachers were usually women, received inadequate salaries, and taught in under-resourced classrooms, while the leading figures in associations and superintendencies were exclusively men, commonly employed as professors, and increasingly treated as expert authorities on public schooling. Journals like Barnard's *American Journal of Education* seldom reached actual teachers, and the immediate concerns of teachers were often far removed from the abstractions of an emergent class of educational administrators. See Tyack and Hansot, *Managers of Virtue,* 94-100; Warren, *To Enforce Education,* 100; Dana Goldstein, *The Teacher Wars: A History of America's Most Embattled Profession* (New York: Doubleday, 2014), 13-46.

[121] It is probable that Stevens, in his capacity as a member of the Committee on Appropriations, was responsible for the attempt to quietly eliminate the Bureau through a denial of funding. Hoffer, *To Enlarge the Machinery of Government,* 100.

[122] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3704.

[123] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3704.

[124] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3705.

[125] *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 3:1542.

[126] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3704.

[127] *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 3:1542.

[128] *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 3:1542.

[129] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 2:1491.

[130] Robert Asen, *Invoking the Invisible Hand: Social Security and the Privatization Debates* (East Lansing: Michigan State University Press, 2009), 7.

[131] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3705.

[132] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 2:1491.

[133] Porter, *Trust in Numbers,* ix.

[134] MacMullen, *In the Cause of True Education,* 264-265; Warren, *To Enforce Education,* 136-145.

[135] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3704.

[136] Peskin, *Garfield,* 296.

[137] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 2:1139. For another example, Maryland Republican Charles E. Phelps was embarrassed when, during an attempt to defend the Bureau, he could not name where it was located beyond "the seat of Government." Seven months later, Missouri Republican John F. Benjamin remembered Phelps's mistake, then arguing that "there was not a gentleman upon this floor who could tell where the office was located, or what it had been doing, or what had been the result of its labors." *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 4:3703-3704; *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 3:1542.

[138] As Adonijah Welch of Florida argued to the Senate, "Although I believe him to be a man of great expression and great enthusiasm upon the subject of education… I do not think his success in the conduct of the office should be made any criterion by

which to judge of the future value of the office." *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 3:1797. Also see remarks by Donnelly, *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 2:1139.

[139] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 4:3334.

[140] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 4:3334.

[141] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 4:3335.

[142] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 4:3356.

[143] Warren, *To Enforce Education,* 109; George F. Hoar, *National Education: Speech of Hon. George F. Hoar, of Massachusetts, in the House of Representatives, February 7, 1871* (Washington, DC: Congressional Globe Office, 1871).

[144] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 4:3356.

[145] John Eaton, ed., *Report of the Commissioner of Education Made to the Secretary of the Interior for the Year 1870, with Accompanying Papers* (Washington, DC: Government Printing Office, 1870), 5; Macmullen, *In the Cause of True Education,* 278; John Eaton, *Grant, Lincoln and the Freedmen: Reminiscences of the Civil War, with Special Reference to the Work for the Contrabands and Freedmen of the Mississippi Valley* (New York: Longmans, Green, and Company, 1907), 258.

[146] Stephen J. Sniegoski, *John Eaton, U.S. Commissioner of Education, 1870-1886* (Washington, DC: Office of Educational Research and Improvement, 1995).

[147] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1131-1135.

[148] By the start of 1871, even Farnsworth, the Bureau's most persistent opponent in the House, admitted that it would be "impossible to get rid of, however useless it may be." *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 1:492.

[149] *Congressional Globe,* 40th Cong., 2nd Sess., 1868, 39, pt. 2:1251.

[150] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 1:492-493.

[151] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 2:1494.

[152] See remarks of Thomas A. Hendricks, *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 3:1795; or remarks of James D. Beck, *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 2:1489.

[153] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 2:1491.

[154] Henry Barnard, ed., *Report of the Commissioner of Education, with Circulars and Documents Accompanying the Same, Submitted to the Senate and House of Representatives June 2, 1868* (Washington, DC: Government Printing Office, 1868), x-xi; Warren, *To Enforce Education,* 113-114.

[155] Barnard, *Report of the Commissioner of Education*.

[156] *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 3:1796.

[157] *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 3:1795.

[158] *Congressional Globe,* 40th Cong., 3rd Sess., 1869, 40, pt. 3:1796.

[159] Eaton, *Report of the Commissioner of Education,* 1-80.

[160] Edwin Leigh, "The Bird's-Eye Views," in *Report of the Commissioner of Education,* 482-502. The maps were designed by Edwin Leigh, who the Bureau hired based on the reception of similar maps he made chronicling the effects of slavery in Missouri. Some of the maps first appeared in a less-circulated report on public schools in Washington published near the end of Barnard's term. These Bureau maps are considered forerunners to more elaborate data representations commissioned by the Census Bureau

in 1874. Susan Schulten, *Mapping the Nation: History and Cartography in Nineteenth-Century America* (Chicago: University of Chicago Press, 2012), 157-159.

[161] Porter, *Trust in Numbers,* xi.

[162] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1131.

[163] Eaton, *Report of the Commissioner of Education,* 103.

[164] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1133.

[165] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1131.

[166] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1132.

[167] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1133.

[168] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1133.

[169] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1134.

[170] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1133.

[171] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1134-1135.

[172] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1418.

[173] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1418.

[174] Eaton, *Report of the Commissioner of Education,* 103.

[175] Eaton, *Report of the Commissioner of Education,* 9.

[176] Sawyer estimated that the speech lasted between two or three hours, spread over the course of two days of Senate debates. *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1464.

[177] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, Appendix, 297.

[178] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, Appendix, 297.

[179] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, Appendix, 297.

[180] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, Appendix, 297-299.

[181] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, Appendix, 300.

[182] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, Appendix, 299.

[183] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, Appendix, 297.

[184] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, Appendix, 297.

[185] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, Appendix, 297; 301.

[186] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, Appendix, 297; 301.

[187] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, Appendix, 297-298.

[188] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1466.

[189] *Congressional Globe,* 42nd Cong., 1st Sess., 1871, 44, pt. 2:666-671.

[190] John Eaton, ed., *Report of the Commissioner of Education for the Year 1872* (Washington, DC: Government Printing Office, 1873).

[191] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1464.

[192] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, Appendix, 298.

[193] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1134.

[194] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1134.

[195] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1134.

[196] Dorothy C. Broaddus, *Genteel Rhetoric: Writing High Culture in Nineteenth-Century Boston* (Columbia: University of South Carolina Press, 1999).

[197] Carson, *The Measure of Merit,* 11-74. Carson’s argument is that this shift was facilitated by an impetus to differentiate among social groups in the United States, particularly along lines of race and gender. These theories of “innate” intelligence

undergirded the social science movement, including the works of authors like Agassiz that Garfield and Donnelly so much admired.

[198] Carson, *The Measure of Merit,* 49.

[199] Asen, *Invoking the Invisible Hand,* 9.

[200] Tracy Steffes writes that during the Progressive Era, "Education became the science of tabulating, measuring, comparing, and analyzing education practice as it existed, moving away from questions of value to accept and propagate existing practices." But for all these unitizing forces, she notes, the school remained "the site of competing social goals and projects…. like protecting children, policing morals, expanding democracy, furthering socialist revolution, protecting adult labor, promoting economic development, or Americanizing immigrants." Steffes, *School, Society, and State,* 35; 25.

[201] Steffes, *School, Society, and State,* 80-81.

[202] For instance, a current backlash concerns the Common Core State Standards, which are opposed alike by cultural theorists, suburban parents, states' rights advocates, activist teachers' unions, and educational researchers, for often contradictory reasons. For a discussion of the complicated politics surrounding these standards, see Patrick McGuinn, "Core Confusion: A Practitioner's Guide to Understanding Its Complicated Politics," in *Challenging Standards: Navigating Conflict and Building Capacity in the Era of the Common Core,* ed. Jonathan A. Supovitz and James P. Spillane (New York: Rowman and Littlefield, 2015), 145-154. The lurching back-and-forth between broad applications of education and narrow institutional solutions is an undercurrent in David

Tyack and Larry Cuban, *Tinkering Toward Utopia: A Century of Public School Reform* (Cambridge, MA: Harvard University Press, 1995).

[203] One parallel is the political battle over the modern-day Department of Education in the late 1970s and early 1980s. Ronald Reagan campaigned for president with a vow to dismantle the Department of Education as an imposition on states' rights. But, he abruptly discovered its utility when his administration coalesced around the particular market-based and national security-focused objectives of *A Nation at Risk.* In a different time, amid a different set of pressures and languages, the centrifugal and centripetal forces of educational definition still played out within the framework of state/federal conflict. Holly G. McIntush, "Defining Education: The Rhetorical Enactment of Ideology in *A Nation at Risk*," *Rhetoric & Public Affairs* 3 (2000): 419-443.

CHAPTER FOUR

“OBLITERATING SECTIONAL FEELING”: EDUCATION AND FEDERALISM IN THE HOAR AND PERCE BILL DEBATES

If there be not philosophy in this divided sovereignty, then is it worse than useless.
- Representative Legrand Perce, February 6, 1872[1]

By the time newly-appointed Commissioner of Education John Eaton spoke to the National Teachers Association at their convention in Cleveland on August 17, 1870, he had reasons to be confident. His keynote status at the convention and the presence of President Ulysses S. Grant in the audience signaled firm support from both professional educators and the executive branch.[2] Nonetheless, he harbored few illusions about the difficulties of promoting education on a national scale. Unlike many ambitious radicals in the legislature, Eaton had firsthand exposure to the challenges of expanding education in the former Confederacy. He helped to reorganize the Freedmen’s Bureau as its appropriations shriveled. He served as Superintendent of Public Instruction in Tennessee as Democratic state leaders dismantled its school system.[3] Now, he helmed an embattled Bureau of Education that had narrowly survived congressional efforts at abolition.[4] Perhaps due to these challenges, he envisioned a subtle role for himself as Commissioner. Federal education policy, he said, should be like a “flower clock,” where an arrangement of plants, naturally blooming at different times of day, would provide an accurate way to tell time. This “beautiful… arrangement by the botanist,” he explained, “would be utterly frustrated by any harm which should interfere with the natural vigor of either plant, and throw it out of its period of bloom. However national action may benefit the educational endeavors of the town, city or state, its own object is defeated the moment harm is

brought to the local vigor, wisdom, or results."[5] The federal government's role in public schooling would be like a gardener—one of planting scholastic seeds, watering the crops with information, and closely monitoring as each state's efforts bloomed in harmony.

Few Republicans in the House of Representatives would have adopted Eaton's delicate metaphor. In their interpretation, the setbacks encountered promoting Southern education demonstrated the need for more intensive federal involvement. As Massachusetts Representative George Frisbie Hoar argued of the Democratic Party's efforts to dismantle the school system of Tennessee, when "the dominant party makes war upon and destroys, as its first act of power, the institutions for the education of children… it is time for the interference of the central power of the Republic."[6] Starting in 1870, a congressional cadre led by Hoar sought to dramatically expand the federal government's role in public schooling.[7] Like his friend Charles Sumner, Hoar was steeped in the Enlightenment tradition of Massachusetts and its belief in the ameliorative force of education. As the representative of his state's 8th District, he occupied the same seat Horace Mann did sixteen years before. He intended to follow in the famed school reformer's footsteps with an even more assertive vision.

The bill that Hoar advocated in 1870 and 1871 insisted upon "the constitutional power and the constitutional duty that Congress shall undertake this interference" in public schools.[8] In stark contrast to Eaton's gentle gardener, Hoar would empower the Commissioner of Education to determine whether states failed to meet their obligations to their citizens. If they failed to meet the proper standards, the federal government could exercise powers of eminent domain to create schools. They could select superintendents, shape curriculum, and hire employees within the states deemed ineffective. Instead of

the billiard ball logic of the Bureau of Education, Hoar aimed to compel states with the threat of direct federal involvement. The title of the bill captured its sweeping aim: "A Bill to Establish a System of National Education."[9] For the bill's supporters, the phrase evoked the most profound ambitions of radical Reconstruction. For its opponents, it evoked an ominous federal encroachment.

Today, the phrase "national education system" does not evoke strong passions at all. It simply describes what is. While the federal government does not control the schools of "delinquent States" as Hoar envisioned, and while the nation's 15,000 school districts do have their regional quirks, the presence of a mostly uniform education system across the country has become a taken-for-granted facet of American life.[10] At the start of the 1870s, Hoar and his supporters could not rely on such a common understanding. They hoped to create one. In their view, the nation's disparate educational efforts led to the Civil War by failing to cultivate a sense of national belonging. "The history of the last ten years shows that wherever ignorance exists there the spirit of disunion exists," Hoar argued, and "[w]herever light and education exist there attachment to the Union existed."[11] As Republicans adapted to Southern readmission and changing public sentiments toward Reconstruction, education became crucial to their national strategy.[12] Henry Wilson, the Massachusetts Senator and national Chair of the Republican Party, defined education as a crucial plank of the party's "New Departure" at the start of the 1870s. Outlining a party platform, he insisted that "Mr. Hoar's bill for the establishment of a system of national education… should receive the immediate attention of Congress and the undivided support of Republicans."[13] Federal education policy would soon receive a sustained hearing on the floor of Congress.

Hoar envisioned education as a way to get underneath the split identities constructed by dual sovereignty. When the founders layered a federal Constitution atop existing state constitutions, they inaugurated a recurring set of conflicts over the proper dividing lines between state and national authority. Their hopes of strictly demarcating the "respective spheres" of state and federal activity had faltered.[14] From Hoar and Wilson's perspective, the founders' attempt to strictly define the purview of state and federal authority inadequately confronted the complex ramifications of split citizenship. As a doubly-constitutive rhetoric, American federalism constituted citizens *into* contradictory identities. Citizens had to personally navigate competing loyalties to their states and nation, drawing upon competing sets of values and beliefs that informed different conceptions of substantive judgment.[15] For Hoar, mitigating these contradictions required more than a revision of formal modes of government authority. Changes to laws and the Constitution offered mere "barriers of paper, parchment, wax—impotent as bands of tow against the fires of treason and hate."[16] The guarantee of "republican government" in the Constitution required tinkering with the substantive political sentiments of citizens themselves, intervening through schools at the level of the social imaginary. It meant cultivating, in Charles Taylor's terms, the "common understanding which enables us to carry out the collective practices which make up our social life."[17]

Like many fellow Republicans, Hoar conflated the broad virtues of education with his particular understanding of formal education gleaned from the New England common school movement. For the first five years after the Civil War, with the majority of Southern delegations still omitted from congressional representation and the Democratic Party in disarray, this equivocation went unchallenged. But by 1871, Hoar's assertive

proposal ran headlong into a concerted political opposition that offered a rival philosophy of educational expansion. The Democratic Party had regrouped in its own "New Departure," a party shift that acquiesced to the ramifications of war and the core tenets of Reconstruction. Tempering "lost cause" assertions and some blatantly racist rhetorics, these Democrats focused on reframing Republicans' visions for national policy as better-managed by states and private associations.[18] To this end, Democrats like Thompson McNeely of Illinois and John T. Bird of New Jersey countered Hoar's proposal with an opposing vision grounded in educational localism.[19] Their adaptation accepted the idea of education's place in a national "social imaginary" while contesting the radical Republican vision of a strong, central state.

Facing concerted opposition, the Republicans began to adapt and moderate elements of their own vision.[20] The interventionist logic of the Hoar Bill fizzled to make way for more nuanced legislation a year later. Representative Legrand Perce of Mississippi proposed a bill that pragmatically combined a tradition of educational land grants with a means of directly funding state education programs. Eschewing calls for direct federal control of school systems, it adopted a carrot-and-stick approach that tethered funding to supervision.[21] The Perce Bill signaled New England reformers' willingness to meet opponents partway. Democrats had acquiesced to the basic idea of national education; in the Perce Bill debate, Republicans acquiesced to a behind-the-scenes role for federal policy. By the debate's end, even devout school proponents like Hoar revised their concept of education's role in negotiating the split identities of citizens in. Instead of directly shaping substantive national allegiances, education would instead empower citizens to disentangle their loyalties.

In this chapter, I argue that the Hoar Bill debate of 1871 and the Perce Bill debate of 1872 reflected a progression from agonistic conflict toward a set of tacit assumptions regarding education's place in state/federal relations. During the Hoar Bill debate, clear battle-lines emerged over the issue of federal involvement in education. Republicans sought to dig beneath the formal divisions of federalism to shape the social imaginary at the level of substantive judgment. Democrats objected that education systems by necessity *derived from* the substantive judgment of local communities. As both sides adapted to their opponents' arguments, the Perce Bill debate of 1872 provided a narrowing space of argument. While fierce disagreements persisted, both parties converged on an implicit acceptance of premises that would eventually play an important role in America's educational imaginary. A coalescence of ten years of debate, these premises encompassed the shape of federal reform, the formal structure of schools, the measurability of literacy, the role of dispositional evaluation, the force of temporal projection, and the individual as a locus of political judgment. These premises, I argue, played an enabling role in their clash of perspectives, alluding to a trajectory of educational development in the century and a half that followed. The twists and turns of their discourse occurred at a moment of intense fragmentation, when American politics, culture, and ideals stood on the verge of substantial change.[22] By examining how interlocutors arrived at consensus in the vicissitudes of debate, this analysis provides a crucial perspective on the "long march" toward an educational imaginary.

"To Reach Under the Construction of the Constitution": Political Judgment in the Hoar Bill Debate, 1870-1871

In a small House committee room on January 7, 1870, six members of the Committee on Education and Labor held their routine weekly meeting to discuss petitions

before the House. Breaking from business-as-usual, Hoar presented the committee with a provocative debate prompt: "Resolved—That it is expedient that this Committee prepare and propose to the House of Representatives a National System of Education." Arguing the affirmative, Hoar challenged the antebellum dogma of educational localism, asserting "that Congress had the constitutional right to establish a system of National Education and to tax the people to pay for it." In fact, he argued, Congress had "not only the right but the duty" to intervene in any state that failed to provide for "the education of its civil rulers."[23] The brief skirmish that ensued between the Massachusetts radical and his Democratic opponents anticipated the debates that would, at the start of 1871, spill onto the floor of the House.

As a rumination on the constitutionality of federal activity in education, the Hoar Bill debate represented a postbellum reconceptualization of tensions over federalism. As James Jasinski writes, at the founding the Federalists and Anti-Federalists were divided over their respective preferences for institutionalizing formal and substantive modes of political judgment. The Federalists, fretful about the perils of faction, institutionalized patterns of formal judgment predicated on disinterestedness and impartiality. The Anti-Federalists stressed substantive judgments forged through modes of direct encounter, participation, and the creation of "fellow-feeling."[24] Eight decades later in the Hoar Bill debate, the clash instead emphasized the roots of substantive judgment itself. The Hoar Bill's proponents contended that the shared values, beliefs, and goals that shape a community's substantive judgments could be instilled from above by an education system. Conversely, Democrats argued such shared meaning could derive only from the

community itself, as promoted through locally-controlled schools.[25] At issue was the possibility, and desirability, of forging a national imaginary through public education.

For Hoar and his supporters, it would have been insufficient to devise formal mechanisms to direct the "mischiefs of faction." The government had a duty to alleviate that mischief at its root. The innovation of public education could allow the federal government to do what James Madison once deemed impracticable, "giving to every citizen the same opinions, the same passions, and the same interests."[26] While the Republican educational vision did not entail uniform thought across the nation, it pursued enough of a common substratum of political sentiments to enable a sense of fellow-feeling across sections and races. Radical representatives from the South, in particular, supported the bill by stressing the continued absence of Union sentiment in their states. For Tennessean Samuel M. Arnell, the Civil War and subsequent struggles over Reconstruction proved that introducing formal safeguards like the Civil Rights Act or the Reconstruction Amendments would not alleviate the perils that divided the country. "The nation requires development *ab intra*," he insisted, directed toward "not mechanics" but "the fabric of the government." All the efforts to rebuild the nation were "but paper reconstruction unless a corresponding interior modification and change of condition is brought about."[27] Fellow Tennessee Republican William F. Prosser shared Arnell's position, advocating that "a system of education in some degree uniform" was an inherent requirement of the Constitution's call for a "more perfect union."[28] Holding up a copy of *A Southern School History of the United States,* a pro-Confederate textbook still in use in many Southern cities, he warned against allowing students to read "false and treasonable statements… intended to inculcate sentiments hostile to the United States Government."[29]

Extending these claims to race, William T. Clark of Texas stressed a strong correlation between ignorance and the "bitterness… which ripens so often into outrage and murder." The "most feasible way to overcome the prejudice against the colored man, and to harmonize his interests with those of the white race," he asserted, "is to insist upon the education of both."[30] Through schooling, the Hoar Bill targeted the political sentiments of children to ensure a greater sense of "fellow-feeling" and empathy that could supersede allegiances to state and race.[31]

In the face of strong resistance to centralized government, the bill's proponents crafted constitutional justifications to "get under" federalism at both the state and national level. First, like Charles Sumner before them, the proponents of the bill turned to the Constitution's guarantee of republican government to the states.[32] Even if a state had an institutional structure that was "republican," they argued, the government could not be "republican" if the people lacked education to wisely exercise their duties as citizens.[33] As Democrats quickly pointed out, this argument had a significant flaw. The original thirteen states all were deemed "republican" at the founding—even though many of those states lacked common schools.[34] To address this counter-argument, Republicans defined "guarantee" as a matter of vigilance and safeguarding. A state may well have been "republican" at its founding, William Lawrence of Ohio said, but without education that republicanism would erode. It could not be "preserved, continued, guarantied[.]"[35]

The second, and more innovative, assertion of constitutionality stressed the direct relationship of individual citizens to the federal government.[36] As Townsend put it, "the people of the United States [are] citizens of the United States as well as in the different States." This obligated the government "to provide them with an education to enable

them to perform the duties which they owe to the Government of the United States[.]"[37] According to Hoar, the passage of the 14th and 15th Amendments heightened this concern by enfranchising former slaves.[38] "Either the tyrant, the slave master, is right," Hoar said, "or the consistent Republican is bound to secure, by competent education, the capacity to take part in the administration of the Government to every man beneath the shadow of the flag."[39] Through the appeal to making state citizens "republican" and stressing the need for intelligent voters in federal elections, the bill's proponents sought to shape political sentiments at the individual level before tensions of state/federal government mattered.

In their pronouncements about the curricular object of a "National System," the Hoar Bill advocates' clarified their reconfiguration of substantive judgment. As Jasinski writes, to preserve the prevalence of formal modes of judgment, the Federalists carefully proscribed the domain of voters' judgments to the character of their political leaders. Character provided an issue-neutral object for citizens to judge, allowing them to anoint virtuous representatives who could be entrusted to handle the complexities of public issues.[40] The arguments for the National Education bill, on the other hand, clearly defined knowledge of such issues as a component of voters' civic responsibility. As Hoar argued, "The people choose their public officers, not solely or chiefly on the account of their confidence in the capacity and character of the candidates, but as they approve or disapprove their known opinions on important public questions."[41] Hoar envisioned the legislation as a way to directly implicate the types of decisions citizens might make on political topics. Unlike in the formalistic vision of representative authority imagined by Madison, this perspective rendered the people's thoughts on political issues deeply consequential. Despite this insistence, though, Hoar and Prosser's arguments betrayed an

apprehension about declaring precisely what exactly this "issue knowledge" would entail. Faced with the need to preserve education's ambiguity as a panacea for social problems, an element of formal judgment remained.[42] Education would provide citizens the objectivity and distance to identify what their "true" interests were, militating against demagogues who might lead them astray.

For the previous five years, the Democratic Party lacked a clear alternative to this Republican vision. To be sure, they resisted the Republicans' efforts. They argued that the Freedmen's Bureau enabled black idleness, that the educational provisions of the Reconstruction Acts threatened local government, and that the Bureau of Education violated constitutional limits on Congress. But they struggled to balance strict opposition to these policies with the *idea* of education, a notion imbued by their rivals with such far-reaching importance that it was difficult to refute. This began to change in the 41st Congress, which first met in March of 1869. In particular, three freshman Representatives—John T. Bird of New Jersey, Thompson McNeely of Illinois, and Anthony A.C. Rogers of Arkansas—began devising a long-term states' rights alternative to the Republicans' federal vision.[43] The first clash between visions of education occurred on the House floor in March of 1870, as McNeely offered a sweeping indictment of efforts to continue the educational work of the Freedmen's Bureau under the aegis of the Bureau of Education.[44] Now, against Hoar's far broader attempt to expand federal involvement in education, he and his fellow Democrats offered an alternative predicated on locally-formed paradigms of substantive judgment.

Much as it had been for the Anti-Federalists, Democrats treated substantive judgment as inseparable from the organic thought of communities.[45] "Our people can

only improve in morals, in politics, in education, and religion," Bird asserted, "as they themselves are directly interested and made to feel that besides a duty they have an interest at stake."[46] In lieu of genuine community interest, the federal government could not force a commitment to education, because teachers and superintendents employed by the federal government would lack a substantive connection to communal sentiment. McNeely argued that these hired officials "will consult their own pleasure and peculiar notions as to their duties rather than the wishes of those among whom they are sent to act."[47] The proper role of educators could only emerge from local concerns. "The teacher during the discharge of his duties stands in the shoes of the parent, is his agent, and that parent temporarily parting with the custody of his child should be consulted rather than some wandering school superintendent from some other State in the pay of the Government."[48] Violating the "delicate trust" of parents would, in McNeely's estimation, counteract the goal of spreading education, reifying regional resentments against the whole notion of formal schooling. The slow progress of education in the postwar South, he contended, only proved this point. The schools did not reflect communal interest, but the interest of statehouses dominated by carpetbaggers and black lawmakers.[49] By putting educational control in the hands of those who, in McNeely's telling, did not understand local culture or anxieties, the radical educational effort was doomed to fail.[50]

For Democrats, Hoar's attempts to downplay curricular preferences were disingenuous. After all, he and his supporters spoke of reweaving the fabric of society, imitating the centralized Prussian education system, and promoting interracial harmony.[51] From Bird's perspective, the Republicans seemed bent on altering how citizens thought at a pre-governmental level. Hoar sought, he insisted, to "reach under the construction of

the Constitution."[52] Michael C. Kerr, a frequent opponent to radical education policy, joined his first-term colleagues to condemn Hoar's bill as an attempt at curricular indoctrination. He, too accused Republicans of trying to alter the substance of political views at their root. "[T]hey are not content alone to invade the sacred functions of Statehood, but they seek by this bill to enter the domestic circle and to control the opening minds of infancy and youth."[53] If government had the power assumed by Hoar's legislation, Kerr intoned, it could lead to federal regulation "of all the learned professions, and of all the institutions of learning, whether general, special, or sectarian; and indirectly of religion, in its faith, doctrines, and modes of worship." The bill could even lead the government to directly manipulate bodily movements, enforcing acts of imitation to forge civic character. Congress would, he argued, assert "supreme and minute control and regulation of the physical education and habits of the people."[54] Emboldened by Hoar's bill, the Commissioner of Education could select "primers, spelling-books, readers, histories, and other school books [to] be made to inculcate the superstitious, sectarian, or partisan opinions of fanaticism of a class, party, or denomination."[55] "The very fountains of knowledge might be poisoned" with such a system of authority in place, Kerr declared.[56]

The Republicans regarded these allegations as complete hyperbole, an utter exaggeration of what the bill actually allowed.[57] Hoar insisted that the threat of federal interference alone would be enough to ensure states took their educational responsibilities seriously. By design, he argued, the bill would never actually need to be implemented, and the multiplicity of state systems would be maintained.[58] On this point, the Democrats attacked the bill's vague provisions for determining a state's educational obligations,

arguing that Republican reticence to define curricular goals masked their more insidious ambitions. When Hoar first introduced the bill, Republican Martin Welker of Ohio interrupted him to ask how Congress would "judge whether a proper system of common schools exists in any State?"[59] In the moment, Hoar sidestepped a discussion of concrete standards, explaining that would be for the Commissioner of Education, appointed by the President, to decide. The Democrats focused on this theme, trying to force Hoar to admit to ambitions of promoting Massachusetts values across the nation. Goading Hoar to get concrete, Bird asked how a state would demonstrate its educational commitments. "How proved? By whom? By what authority? Who are the individuals to be summoned to testify as to the sufficiency of what the State proposes to do?"[60] "The bill fails to fix the standard by which a State shall be tried," McNeely added, thereby leaving its language open for partisan interpretations that could provide a basis for the manipulation of state systems.[61] Targeting the root of Hoar's pedagogic pride, McNeely contended that the bill could even justify an intervention in Massachusetts to counteract the state's reliance on child labor. Hoar "had better put his own house in order before undertaking the regulation of Tennessee," McNeely argued, because "the uneducated plowboy of Tennessee, with no teacher but nature, has reason to thank his God that he is not an overworked Massachusetts factory child."[62]

These efforts to force Republicans to admit particular educational priorities formed part of a broader strategy for the Democrats, a strategy that preserved education's ambiguity as a panacea for social problems. The innovation of the New Departure Democrats was that they did not deny a role for formal education in forging a coherent national community or in strengthening civic life. When their opponents tried to impugn

them as being against education, they interjected quite vehemently to the contrary.[63] Pushing the Republicans' educational faith a step further, they claimed that education was *so* self-evidently important that states would embrace it on their own. Bird argued,

> Coming to understand this work of education in its true light, they will readily project plans of improvement that will prove permanent. Every circumstance in the lives of nations admonishes them to do this. Their internal peace, happiness, and prosperity depend upon it. To presume that they do not see and comprehend these questions as readily as we smacks too much of egotism and is altogether too uncharitable.[64]

Contra Hoar's Bill, the Democrats provided an account of how the nation could, slowly but surely, arrive at a loosely-organized national system. They deferred to what Brian Balogh calls the 19th-century "associational state," emphasizing the role of intermediary institutions as an indirect exercise of national authority.[65] A national system would, McNeely contended, emerge through the scattered, combined efforts of the states, philanthropies, and associations.[66] If New Englanders truly wanted to expand national educational interests, Kerr suggested that they should "adopt the generous policy of their own great and good citizen, Mr. [George] Peabody," asking "their numerous millionaires [to] contribute a tithe of their annual incomes."[67] Such prodding could accelerate states' efforts without exerting control over the actual shape of learning.

Troublingly for Hoar, the Democratic position coopted many of the principles Republicans had advocated for the previous five years. The Democrats argued that a state and association-centric approach would, in fact, *better* address the many maladies education was meant to cure. "What would suit one State might not suit another,"

McNeely pointed out, "and that system of teaching, or character or qualification of teachers, or kind of school books, or set of rules for school discipline, which might suit the people of one county or school district might not suit another."[68] Whereas the Republicans' much-vaunted Prussian model of schooling addressed German problems in a uniform, homogenizing way, in the United States the transformative role of education necessarily depended on its receptivity to the pre-formed substantive modes of judgment in local communities.[69] The founders envisioned many kinds of "republican government," McNeely and Kerr insisted, and each republican government would in turn demand its own approach to education.[70] Powerfully for the Democrats, this appeal coopted the rhetorical force of education as a benefit to the states and prerequisite for civic participation, while providing another way to imagine national expansion. Anticipating civil rights struggles to come, it implicitly granted states power to shape black education and resist school integration.

The Democratic appeal played an important role in denying Hoar's bill traction. Even Republicans like Lawrence, who agreed the federal government had a role in promoting education, fretted that the bill might lead to the micromanagement of schools.[71] After numerous reintroductions, the extended debate over the bill occurred so late in the 41st Congress that it simply faded away without ever coming to the floor for a vote. Over the next year, as the composition of Congress changed, the Republicans regrouped and developed a more complex approach to federal policy.

A "Cunningly-Devised Measure": Coming to Terms in the Perce Bill Debate

Hoar had not finished agitating for federal involvement in education. When the 42nd Congress began, he retreated to the Committee on Education and Labor to develop

new legislation. Five days before Christmas in 1871, Hoar and his fellow committee members agreed to a special meeting dedicated to "the relation of the National Government to education… [and] the adoption of one general measure on that subject."[72] When Congress returned from the holidays on January 17th, 1872, the Committee discussed a wildly different piece of legislation than the one Hoar proposed the year before.[73] Given the failings of the so-called "Hoar Bill," Committee Chairman Legrand Perce of Mississippi took over as the bill's sponsor. Likewise, Hoar ceded responsibility for drafting the bill to Mark H. Dunnell, a first-term congressman who previously served as the State Superintendent of Education in both Minnesota and Maine.[74]

With a new sponsor and a different architect, the Perce Bill differed dramatically from its predecessor.[75] Rather than intervening directly into state systems, the Perce Bill tried to incentivize state activity. The bill required that all future sales of federal lands be collected in a fund set aside exclusively for education. One half of that income would be immediately disbursed to states based on their school-age populations; the other half would be invested in savings bonds and distributed over time. If states mismanaged the funds, the Commissioner of Education could deny them future revenue until they rectified their error. Through this mechanism, the federal government could exert a modicum of pressure on state systems.[76] Hoar, Perce, and Dunnell downplayed this power as one of mere supervision, but opponents to the bill labeled it a "cunningly-devised measure" to implement the Hoar Bill "by indirection."[77] With this Rube Goldberg-like method of federal influence, the bill received a far more serious hearing than Hoar's previous attempt, ultimately passing in the House.[78]

Debates over this nuanced legislation concluded a decade of efforts to advance federal education policy. As such, they offer a revealing way to read the pulse of congressional sentiments as radical Reconstruction waned. Throughout this project, I have been concerned with the emergence of certain enabling premises that made contemporary American educational discourse possible. Following Charles Taylor, I have been looking for how contentions that once needed to be explicitly articulated and defended became so embedded in discourse as to be taken for granted. I am not merely talking about shared premises in an argumentative sense, but rather a deeper set of enabling presuppositions that made the distinctions, the suppositions, and the stances of educational policymakers possible.[79]

The transition from the Hoar to the Perce Bill elucidates how situated interlocutors strived craft legislation in what David Zarefsky calls "the crucible of public debate."[80] Whereas the Hoar Bill featured an agonistic clash between an assertive federal proposal and a firm states' rights alternative, the Perce Bill played out within a narrower range of maneuverability. To be sure, the collision of perspectives between proponents of the bill was intense, characterized by the reemergence of a viable, national Democratic Party and frustrated signs of fissures in the Republican coalition. The tone of the debate was anything but moderate. Nor were the issues under debate "narrow" in any sense—interlocutors clashed over topics including segregation, land grants, the meaning of "illiteracy," the viability of existing state school systems, curricular control, and so on. When I say there was a narrower range of argument, I mean that interlocutors could not stray as far from certain assumptions that undergirded their positions.

Beneath their fierce oppositions, these leaders converged on a latent set of agreements about the formal shape of education, its function as a site of cultural contestation, and a way of shaping the minds of citizens. These agreements anticipated key elements of contemporary Americans' educational imaginary, elucidating rhetorical struggles and compromises that shaped the formation of these underlying assumptions. First, the Perce Bill relied on Republicans' acquiescence to the idea of extra-governmental innovation, philanthropic donations, and associations as the primary drivers of educational change. Their adaptations to Democratic opposition situated education between federal prodding and state prerogatives. Second, the debate demonstrated a tacit embrace of key tenets of New England-style formal education, including the organization of school systems and the measurability of literacy. Even among Southern Democrats, these underlying assumptions played a role in how they defended their school systems. Third, both sides relied on the dispositional ambiguity of education to impugn various groups as ill-suited for civic participation. In the process, they reaffirmed education as a crucial site in struggles for political inclusion. Fourth, disputes over segregation and local autonomy exhibited a shared belief that public schools provided a temporal projection of a future-polity. Schools were imagined as the site of struggle over the future of the nation's cultural values. Finally, advocates of the bill defined an idea of education as a mediator of state and federal sentiments, a way of inculcating a combination of formal and substantive modes of judgment. They located the future security of the republic in the decision-making of individual voters. Taken together, these assumptions, forged in the push-and-pull of congressional debate, anticipated the eventual role education would fulfill in America's social imaginary.

"Free From Extraneous Control": Relying on Associational Governance

As a former school board member from New Hampshire, Democrat Hosea W. Parker had lost patience with his Massachusetts colleagues' constant praise for Horace Mann and the Massachusetts common school system. Hoar and his fellow school advocates were "zealots," Parker said, who "unite their schemes with some universally popular subject, and then condemn everybody who refuses to take the whole dose."[81] Parker's admonition demonstrated Democrats' growing defensiveness about their commitments to education. It also highlighted a strategic reason why Hoar adopted a less central role in advancing Perce's Bill: he, and the Massachusetts vision of common schools, had become a political lightning rod.[82] In both tone and technical language, the Perce Bill's designer, Mark H. Dunnell of Minnesota, forged a more cautious path than Hoar in his advocacy. Even with deep partisan roots dating back to his delegate role at the first Republican Convention in 1856, he eschewed the political barbs of his colleagues.[83] He touted his experience as a State Superintendent as evidence that he intended no infringement on state systems of education. He even turned the other cheek to vitriolic opponents, beginning a rejoinder to Parker by praising him for having the "the honor to represent a State in which there is less illiteracy than any other State of the Union."[84] The construction of the bill itself followed from Dunnell's moderate stance, reflecting a complicated understanding of the forces that shaped common schooling outside of New England. Rather than stress a federal intervention, the Perce Bill built upon what Balogh calls the "braided nature of public authority" characteristic of 19th-century federal governance.[85] The bill accepted a federal role in education, but replicated and drew sanction from the work of extra-governmental associations and charities.

To avoid constitutional challenges, the Perce Bill followed from the philanthropic tradition of federal land grants, widely accepted in Congress from the Northwest Ordinance of 1787 to the Morrill Act of 1862. The success of these past enactments stemmed from their focus on lands, rather than funds, desks, textbooks, or teachers. Land provided a blank slate that had to be developed in line with a community's unique character, making it seemingly less prone to federal influence than other provisions.[86] During the Hoar debate, many Democrats even conceded their support for the tradition of federal land grants for education.[87] The Perce Bill strategically linked land's special character to a more flexible mode of educational finance.[88] Playing off of apprehensions about land sales to railroad corporations and the eventual closing of the frontier, Perce framed the bill as a way to ensure that "the charity fund of the nation" would continue to shape the citizenry.[89] Symbolically, the connection of lands to schools drew a line from the physical frontier to an intellectual one. In Hoar's words, public lands were "the patrimony of the people," a vast reservoir of comfort for the nation in times of distress.[90] The bill would ensure that "long after those lands are covered with wealthy, populous, free, intelligent States, this fund… will be increasing and growing—a fountain of perpetual wealth and a fountain of perpetual liberty to your children."[91] Dunnell offered a more pragmatic explanation. This bill followed the exact same principle as existing land grant legislation at one remove, allowing the government to fund education in a way still circumscribed by its constitutional power to dispose of public lands.[92] The land connection ensured that the Perce Bill would advance a tradition of federal involvement, one of ceding a mythically-imbued resource to local agents with a specified purpose.

While opponents accepted the concept of donating federal lands, they strongly resisted the Perce Bill's provisions for supervising those funds. To defend this aspect of the bill, advocates turned to existing models of associational governance. They defined the federal government through analogy to extra-governmental agencies like the Peabody Fund, suggesting that the government, as a charitable agency, had a vested interest in ensuring its donations were spent properly and efficiently. As Perce explained, the Peabody Fund exercised supervision and oversight to ensure the proper distribution of their donations; in federal philanthropy, the same principle applied.[93] The Morrill Act lacked similar provisions for supervision, he noted, and as a result many donated lands still remained vacant. Without learning from that mistake, Congress might "have a fund for the benefit of the children of the State turned into a corruption fund."[94] Turning to outside associations to sanction federal policy, Hoar cited the sentiments of Peabody Fund administrator Dr. Barnas Sears as "the highest authority on" the bill's quality. A letter from Sears, he noted, "after giving his opinion in regard to the details, says to me: 'The bill is a most admirable one.'"[95] A year before, Democrats argued the Peabody Fund provided the proper avenue for intervention in schools. Cleverly, the Republicans now claimed the Perce Bill merely imitated and advanced the Peabody model that Democrats lavished with praise.[96] Both sides converged on the idea of extra-governmental philanthropy as the driving force of educational change, differing primarily on whether the federal government could function as a philanthropy in its own right.

A synthesis of various indirect approaches to school reform, the Perce Bill's proponents situated educational governance between the bottom-up impulses of democratic localism and top-down federal influence. As James A. Garfield noted, the

country already *had* a "great American system of education." It emerged not through Prussian-style interventions but organically from "our local self-government, joined to and cooperating with private enterprise."[97] To this end, Garfield contended that the Perce Bill offered a perfect balance of federal goading and local/associational prerogative. "[T]he best system of education is that which draws its chief support from the voluntary effort of the community, from the individual efforts of citizens, and from those burdens of taxation which they voluntarily impose upon themselves," he explained. "The assistance proposed in this bill is to be given through the channels of this, our American system."[98] Rather than the "One Best System" of the most passionate Massachusetts reformers and the Progressive technocrats to come, Garfield envisioned an education system in the tradition of what Balogh calls the "hidden," but still-active, federal government of the early-to-mid 19th century.[99] In his view, the bill maximized the federal government's potential to promote education through an associational state, a state of blurred divisions between voluntary associations, local authorities, and central government.[100] Though Democrats still fought the proposal, its design reflected their own admitted concessions about a proper role for the federal government in education. Likewise, the bill signaled many Republicans' abandonment of federal control as a non-starter. In the long-term development of an educational imaginary, the emergence of public education at a national scale would resemble Garfield's associational synthesis more than the bold intervention Hoar had sought the previous year.

The "Ratio of Illiteracy": Accepting Structure and Synopticism

Throughout Reconstruction, radicals blamed the absence of Southern school systems for the region's ignorance, susceptibility to demagogues, and lack of national

loyalty. Until the 1870s, these harsh critiques were directed at empty seats in Congress. Even when former Confederate states returned to the Union in 1868, their legislative cohorts were dominated by "carpetbag" supporters of Republican policy. By the 1872 Perce Bill debate, this had changed. Many Southern Democrats had arrived, keen to defend their states from allegations of ignorance.[101] Surprisingly, their defenses exhibited a remarkable degree of agreement on key premises of the Massachusetts common school model of formal education. Though a few congressmen attacked the New Englanders for equivocating "education" with formal schooling, many conservative Southerners stepped up to argue that their states had, in fact, dedicated tremendous time, energy, and money to building school systems.[102] Rather than contest the New England model, Southerners' defenses acquiesced to key elements of the common school movement's language of educational structure, management, and evaluation. Defending Southern education on the Yankees' terms, these representatives foreshadowed many uniform elements of the systems that would soon emerge across the South.

While Hoar's influence in the debate was muffled, it was not muted, and his remarks inspired a flurry of defensive speeches from Southerners. As he and his Massachusetts colleagues had for years, he justified the Perce Bill on grounds of Southern ignorance and Democratic opposition to formal schooling.[103] On both counts, Southern Democrats took umbrage. Henry D. McHenry of Kentucky argued that Hoar "went very far out of his way" to criticize his state's "comparative illiteracy" beside Massachusetts. Beyond being "uncalled for," McHenry asserted that the critique was not fair given the circumstances of war. "Kentucky… is not behind the other southern States in the education of her people," he explained, despite managing its state finances better

than radical-led neighbors.[104] Kentucky had implemented taxes at the district, local, and at the state level to fund education and, McHenry alleged, had "more common schools, and more colleges and students in our colleges, than they have in Massachusetts."[105] Accepting an educational race between states that could, theoretically, be evaluated and measured, McHenry insisted: "if the learning and intelligence of a State could be aggregated, my State will stand equal to any in the Union," although he conceded "it may not be so generally distributed as in Massachusetts."[106] Similarly, Tennessee Representative John M. Bright accepted the underlying educational premises of Hoar's critique while stressing his state's commitment to "the highest standard of excellence" in education.[107] The state had common school laws dating back to the 1820s, he recounted, only deviating from them due to the financial stressors of war and the corrupt leadership of radical Republicans since. In the past two years, he explained, the state had "rededicated the original school fund to the inviolable use of common schools," while reorganizing the system to reflect prevailing designs in other states.[108] Hitting the same themes, the Democratic defenses piled one atop the other—of Georgia, of Delaware, of Virginia, of Tennessee, and of the whole party's commitment to education.[109]

Through deflections and rationalizations, these Democratic arguments demonstrated a tacit acceptance of New England common school movement principles. When accused of defunding education, they displaced blame on the other party. When lambasted for disorganization, they stressed the hiring of new superintendents and the reorganization of systems.[110] When accused of apathy toward education, they cited large appropriations for schools. And when chastised for illiteracy rates, they pivoted—pinning illiteracy on the conditions of war, emancipation, and "carpet-bag" rule.[111] Benjamin

Biggs of Delaware blamed his state's illiteracy on its lack of compulsory education laws. "No state in the Union today has a better school system than the State of Delaware," he declared, but it would be unduly coercive to require people to attend it.[112] This defensiveness reflected a quiescence on a number of crucial points: that states had a responsibility to provide educational access; that school systems needed to be funded by a combination of state and local taxes; that school districts were best organized in districts overseen by state superintendents; that "illiterate" citizens were a category that could be identified and measured. More than that, some Democrats even cited statistics from the much-maligned Bureau of Education to defend their schools in comparison to rival states.[113] In the "long march" of America's educational imaginary, these were not trivial concessions. Southerners and their Democratic allies agreed with their rivals on the fundamentals of what a common school system should look like. This set of tacit premises enabled later policymakers to envision a uniform system of education even in a country characterized by political fragmentation.

Above all, the Perce Bill debate revealed a convergence across regions and parties on the idea of an "illiterate" population as something the federal government could observe, measure, and target through policy. Originally, the bill apportioned money according to the populations of school-aged children in every state. Since the states in the South and West with the least-developed education systems had more school-aged children, Perce reasoned, an age-based allocation would ensure the greatest benefit to those states.[114] Dunnell argued that this mode of apportionment helped the bill avoid allegations of sectionalism; he did not want the bill to be seen as a Reconstruction measure.[115] Ironically, the Democrats protested that the bill was not *enough* of a

sectional, Reconstruction policy, as its benefits would be too dispersed to aid Southern states in meeting the demands of building schools. Kerr alleged that the bill was designed to place a "herculean burden" on Southern states to establish schools in an unreasonable time frame. When those states failed—by design—to meet federal standards, he reasoned, states with already-established systems like Massachusetts would reap the benefits. Even if Southern states met the standards imposed, they would only get a "mere pittance" toward building their systems.[116] Similarly, Parker protested that his home state of New Hampshire would receive funds it did not need.[117] If the point of the bill was primarily to aid the South in creating new systems, Parker and other Democrats agreed, it should simply have done so explicitly (with no supervisory strings attached).[118] Republicans, however, were reticent to violate the national character of the bill. "[W]e cannot safely discard the idea of equality in the distribution of the fund," Austin Blair of Michigan argued, without undermining the bill's design as a permanent long-term fund responsive to the evolving needs of states.[119]

The crucial compromise emerged from a shift from population-based to illiteracy-based apportionment. New York Republican Milo Goodrich proposed an amendment ensuring that, for the first decade after the bill's passage, funds would be distributed "according to the ratio of the illiteracy of their respective populations" in the most recent Census.[120] Since the start of Reconstruction, many Republicans and Democrats alike had questioned the federal government's capacity to "see" the status of illiteracy, on a state-by-state basis, at a remove. Controversy over this ability animated a great deal of conflict in the Bureau of Education debates. In the Perce debate, the idea of apportionment based on illiteracy provided an uncontroversial alternative to population-based distribution. It

applied a uniform standard across the nation that offered dramatically greater benefits to the South.[121] Perce expressed reservations that the amendment placed "a premium upon ignorance," but agreed there was "no other means" of ensuring educational funds would be distributed to the places that needed them most.[122] Many Southern Democrats agreed. Goodrich's amendment received "yea" votes from Archibald T. MacIntyre, McHenry, Bright, and Biggs, each of whom had disapproved the bill when it apportioned by population.[123] Casting a vote for such a provision meant accepting that "illiteracy" could be measured. It meant accepting that "illiterate" populations existed, shared traits across lines of race and region, and could be "seen" by the government. Taken together, the Democrats' acceptance of illiteracy and defenses of their state-level educational efforts reflected a basic agreement on the elements of educational administration that would later extend across the country.

"The True Nature of Education": Ambiguities of Dispositional Evaluation

While congressmen accepted the idea of "illiteracy" as a valid basis for policy, the meaning of education was still subject to centrifugal pressures. The term remained imbued with the ambiguities of dispositional evaluation, acting as a proxy and explanation for all kinds of social problems like crime, poverty, and disloyalty. Providing a malleable vocabulary of assessing others' fitness for civic participation, it rationalized ascriptive exclusions based on race, class, and nativity. In the Perce debate, members of Congress readily invoked these judgments of others' "education." Before Perce even had a chance to explain the language of the bill, Republican John B. Hawley of Illinois stoked anti-Chinese and anti-Catholic sentiment with an amendment banning funds from being used "to employ teachers in other than common schools, or teachers in other than the

English language."[124] Perce himself insisted the bill was needed to acculturate Native Americans, whose lack of education "mar[red] the symmetry of civilization."[125] Poor Southern whites, Hoar argued, would be easily incited to violence without developing their ability to reason.[126] Former slaves could not appropriately exercise the ballot without education. Irish immigrants committed crimes because of their lack of moral education. The economic idlers in poorhouses were the least educated class of society—the congressmen went on and on.[127] Virtually every 19th-century variety of what Rogers Smith dubs "ascriptive Americanism" appeared in some form.[128] This capacity of education to explain the civic disorders caused by various groups played a crucial role in the coalitional politics of 1872, as Democrats and Republicans exploited anti-immigrant and anti-black sentiments in the wake of the 14th and 15th Amendments. Seeking ways to disparage various groups and forge new constituencies, interlocutors tacked between competing ways of evaluating dispositions as sufficiently "educated." Their clash preserved the ambiguity of what education meant while affirming the schools as a key discursive battleground in ongoing struggles over civic inclusion.

While the New England common school reformers had always promoted schools as a way to Americanize immigrants, by 1872 these positions began to particularly tarnish their rhetoric's sheen of egalitarianism. Following an 1869 struggle in Cincinnati, Ohio to absorb parochial schools into public school districts, a wave of anti-Irish Catholic sentiment reverberated across the North. As Ward McAfee writes, the Republican Party embraced the school issue as a way to capitalize on this sentiment, shoring up Protestant fears of a "Jesuitical conspiracy."[129] In the Perce debate, anti-Irish Catholic bias went from latent to blatant after Biggs attacked Hoar's Massachusetts pride. To the "great

laughter" of the galleries, Biggs pivoted from illiteracy to criminality as a way of assessing the education of a state. Hearing Hoar talk, Biggs scoffed, "you would suppose that they were all saints up there with their great learning." Between 1866 and 1870, he recounted, there were over "ten thousand and thirty-six" criminal acts recorded in Hoar's home state, ranging from "defacing tombstones" to "horse-stealing" to "polygamy" to "selling obscene prints."[130] Hoar protested that these crimes could not be pinned on the population raised in the state's common schools. In fact, he insisted, "eighty percent of those crimes were committed by persons of foreign birth, every one of whom votes the Democratic ticket[.]" Hoar's dig at the Democrats as the party of horse-stealing polygamists won him his share of laughter. But it also played into Biggs's charge of Massachusetts hypocrisy, allowing the Delaware Representative to impugn Hoar for insulting "the foreigners who have fled from their own country for protection in America." "[T]he State of Massachusetts must father them," Biggs declared, just as Hoar expected Southern states to educate freedpeople Republicans had enfranchised.[131] The ambiguous meaning of "education" allowed Biggs to shift the debate from Hoar's concern for Southern white violence and black readiness to the criminality of immigrants.

A far more incisive assault on Hoar's mode of evaluating an "educated" disposition came from John B. Storm, a first-term Democrat on the Committee on Education and Labor. Hailing from a part of rural Pennsylvania heavily populated by German Americans, Storm had spent the previous seven years serving as a County Superintendent. In that capacity, he traversed the area's hundred or so schoolhouses, petitioning state officials for better resources and salaries.[132] These local roots informed Storm's commitment to the New Departure Democrats' localism and his skepticism

toward federal efforts to impose uniform educational policies. Hoar's attack on immigrants provided Storm an opportunity to attack the hypocrisy—and entire philosophy—of the Massachusetts common school movement. To begin, Storm accused Hoar of unfairly misrepresenting immigrants. In particular, he argued that Hoar ignored the important benefit immigrants provided to Massachusetts by keeping its population steady, even as the number of native-born citizens declined. Immigrants saved the state from a spiral of death, Storm impugned, yet Hoar "has the ingratitude to say that these foreigners commit all the crimes in that State, and vote the Democratic ticket!" The bigger problem, Storm continued, rested with the native-born population of the state, whose virility was threatened by the "scrofulous," immoral lifestyles the common schools failed to inoculate against.[133] Pivoting from immigrants to Massachusetts natives, Storm warned that their depravity could be traced to the vision Hoar wanted to apply on a national scale—the "crudest conception of the true nature of education."[134]

Building upon his critique, Storm criticized the dispositions cultivated by the Massachusetts common schools. Keeping with the states' rights impetus to maintain a broad definition of education, Storm contended that Hoar embraced a narrow, uncompromising, and centripetal vision of education's potential. From the beginning, Storm argued, the common school movement embraced Transcendentalism's reductive view of God as "a supreme law or system of laws, destitute of what we call personality or personal consciousness."[135] The resulting pedagogy lacked a moral center, assuming "that education is simply the training of a man's intellectual faculties; man as a moral and physical being is ignored."[136] He continued:

> [Hoar's] estimate of education is a mathematical one. His idea is that a man who is educated is worth about twenty-five per cent more than a man who is not… The system of education that simply crams a man's intellectual capacity, and ignores his moral and physical being, is partial and one-sided. The result is infidelity in religion and physical deterioration in the race, two of the greatest evils that curse the Commonwealth of Massachusetts to-day.[137]

No wonder, Storm mused, the Massachusetts school system led its citizens to embrace "infidel doctrines," to accept the "sickening" exploitation of child factory workers, or to succumb to "physical degeneracy" and death.[138] Broadly, Storm aimed to warn against imposing any particular form of pedagogy on the nation, and particularly not to "fasten upon the young and rising Commonwealths of the South and West a system of infidelity and rationalism" that was "destroying" the native population of Massachusetts.[139] What is more important is the maneuver Storm relied upon to make his case, one not unlike that of the common school advocates he opposed. To critique the presumed moral superiority Hoar ascribed to Massachusetts, Storm broadened the definition of what an "educated" disposition must entail. In the process, he included a range of perceived social ailments that otherwise would not have factored into the debate.

Though far apart on who bore the greatest blame for the nation's social disorders, the dispositional ambiguity of education allowed partisans as philosophically opposed as Hoar and Storm to engage in a similar act of interpretation. Hoar asserted that immigrants engaged in more crime because they had not grown up with a proper common school education. Storm rejoined that native Massachusetts citizens engaged in immoral, population-eroding behaviors because the common schools lacked a moral center. Both

men engaged in acts of mass mind-reading, imagining the dispositions of those they deemed corrosive to society. Both isolated the school as a crucial site where struggles over the proper dispositions of civic participation would be formed. Their assessment of "ignorance" and "knowledge" linked up with an emerging vocabulary of civic readiness that indelibly intersected with the content of curriculum. Schools provided a site for deciding who would have a place in an imagined national community—and the states of mind required for effective civic participation.

Without "Pretended Piety": Temporal Projection and Segregation

While the Perce Bill said nothing explicitly about school integration, the issue loomed large in the debate, in part because Charles Sumner was advocating his Supplementary Civil Rights Bill in the Senate at the same time. As Sumner defended the necessity that "all commingle in the common school of common citizenship," it did not take long for segregationists in the House to draw a connection between his advocacy and the designs of Hoar, his friend and Massachusetts colleague.[140] Storm, for example, quoted at length from Sumner's bill, demonstrating how the same language and logic appeared in the Perce Bill's provisions. Perce's stipulation that states provide reports on "schools free to all," Storm warned, was "a Trojan horse" that "concealed the lurking foe—mixed schools." If the bill passed, he predicted, "the State that refuses to make provision for the education of the races together will lose its share of the appropriation under this bill."[141] Kerr, MacIntyre, Bird, and other Democrats drew similar connections, linking the Perce Bill to a broader Republican effort to enforce "mixed schools."[142]

Notably, the argument against "race-mixing" in the schools took on a different temporal orientation than the Democratic resistance of previous years. At the dawn of

Reconstruction, the opponents of integration mocked the future-oriented vision propounded by Sumner and other New England reformers. In January of 1866, for instance, Democrat John L. Dawson of Pennsylvania sarcastically maligned the "philanthropic theorists" who imagined that teaching black and white children together would ensure that "the prejudices of caste will at length have been overcome."[143] By the time of the Perce Bill debate, this derision gave way to paranoia about the long-term consequences of school integration. This paranoia demonstrated a growing acceptance of the school as a temporal projector of the polity's future.

New Departure Democrats faced a challenge of resetting the terms of educational debate. Republicans had long dictated those terms with their forward-looking vision of social progress tied to classroom interaction. The walls of the school, Republicans like Sumner insisted, offered protection against the prejudices and animosities of the surrounding society. Conversely, the defenders of segregation seemed tethered to a cynical present, invoking racists' disgust at having to occupy similar public spaces with blacks. As Storm said, too many people found integration "revolting" to make it viable.[144] The limit of the Democrats' argument was that it denied the school as a space of possibility, mooring it in the racial turmoil of the present rather than the Massachusetts reformers' compelling vision of a less prejudicial future. In the Perce Debate, Democrats began to change their approach, countering Sumner's chronotopic vision of the classroom with an alternative configuration of space and time.

Democrats' arguments could almost be read as a point-by-point rejoinder to the claims Sumner made about the lifelong trajectories of children in integrated classrooms. For example, whereas Sumner spoke of the corrupting influence of caste on "[h]earts yet

tender with childhood," Kerr argued that no better result could come from a "miserable and unnatural system which would curse both races by forcing them into daily association in the tender years of infancy, during the acquirement of education."[145] In making this claim, Kerr agreed with Sumner's premise that the school acted as a temporal projector for "tender" children. Kerr disagreed on the telos of a projection based on "forced association," arguing that without the assent of communities, a system of integration would only exacerbate tensions across time.[146] While severing the concept of educational progress from the "commingling" of races, Kerr preserved the school as a site of temporal projection, maintaining that it could still act as a panacea for social problems even without racially integrated classrooms. Separate but equal schools, by providing the structure of education without interracial conflict, would ensure that "the races shall work out their destinies in parallel lines."[147]

John T. Harris of Virginia went even further than Kerr, accepting not only that the school offered a projection of social relations, but also Sumner's conclusion: that placing the races together in the same space could alleviate prejudicial sentiments. He simply disagreed that eliminating prejudice was a desirable outcome. Like Sumner, Harris constructed a chronotope of encounter, imagining how children would engage each other in the shared space of the classroom. Trying to define education as a social, rather than a political, question, he described the relationships of children in school as more "absolutely social," more immune to the vicissitudes of politicians' designs, than any other realm of public life. Children, he explained, "sit on the same seat, learn from the same book, recite the same lesson, drink from the same cup, and in every respect are as social in their relation as brother and sister."[148] Projecting this daily interaction over the

course of a lifetime, Harris protested against mandating that "the fair-haired child must sit side by side with the negro children from six to sixteen years."[149] For Harris, the school was a powerful site of social development, a place where shared challenges and academic interactions would implicate how children perceived one another. The school could produce familial bonds, bonds like "brother and sister." In Harris's segregationist vision, this radical possibility counteracted efforts to preserve a racial hierarchy. The classroom was, indeed, a projection of the future-polity—but he sought a projection of permanence, not change. As if to throw a wall of words between the segregated present and any integrated future, he ended his speech bitterly. "[S]ocial equality, never! never! never!"[150]

The Democratic connection of schooling to a far-off future represented an important shift in their argumentative strategy. As with other elements of their New Departure appeals for education, it allowed them to preserve education as a panacea for social problems while cutting out a controversial element of federal prescription. As they cultivated their own future-oriented vision for segregated classrooms, they encountered little resistance. Republicans mainly aggravated the Southern cohort with jokes about miscegenation, citing the "complexions of millions" as evidence that Southern race relations were not entirely hostile.[151] Beyond these present-oriented attempts to infuriate Southern delegations, Republicans said little about integration at all. Even Perce, Hoar, and Dunnell mainly defended integration with "nay" votes against an amendment guaranteeing the bill's funds to segregated schools. That amendment still passed by a margin of 115 to 81. With segregation embedded in the text of the legislation, Storm, McNeely, Kerr, and other Democrats could comfortably vote for the bill in its final form.[152] Where Sumner had once stressed integration as an unavoidable, intrinsic element

of social "progress," these opponents in the Perce Bill debate emphasized alternative potential futures. They embraced the school as a temporal projector, and found ways to omit interracial "commingling" from that future vision.

"Necessities of Government Recede and Disappear": Mediating Judgments

In the Hoar Bill debate, the staunchest centralizers and strictest states' rights defenders disputed whether schools could cultivate local sentiment. A year later, their disagreement persisted in the countervailing positions of Joseph Rainey and Hosea Parker. For Rainey, schooling could have prevented the Civil War altogether by promoting a "fraternal feeling between the North and the South." Funding schools, in his view, could "materially assist and eventually succeed in obliterating sectional sentiment and differences of opinion."[153] Conversely, Parker contended that "fraternal feeling" could not come from above. "[Y]ou must first educate the heart and the mind of the people. Education is the result of local sentiment. You must create a well-regulated public sentiment before you can greatly benefit the people by bestowing upon them funds."[154] These two men's remarks captured the chicken-egg conundrum at the heart of the debate. Republicans like Rainey, Hoar, and Perce believed that "a well-regulated public sentiment" could only be created through schools. Parker, along with Storm, McNeely, and Kerr, contended that local sentiment needed to precede the formation of schools. This conflict, so deeply rooted in epistemic quandaries over the school's role in society, could not be easily reconciled in this debate. But in the collision of visions, and especially the compromise positions taken by Republican legislators, there emerged a compromise regarding education's role in federalism.[155] The federal Constitution had provided a formal mechanism for alleviating clashes of jurisdiction between states and

the government, but the Civil War proved this was not enough.[156] Through the schools, bill supporters posited, the people could learn to adjudicate between their identities as people of a state and a nation. They could become informed citizens, for whom the tensions of federalism could be readily confronted without the need for government.

To craft a defense of educational aid in a federal polity, Perce and Hoar urged a return to the ideological basis of federalism, the theory of multilayered authority and substantive jurisdiction that shaped the American Constitution.[157] The concept of "State rights," said Perce, grossly oversimplified the complex "principle of divided sovereignty distinguishing our peculiar form of government."[158] The territorial boundaries of the states "resulted from the accident of colonization," and loyalty to those states reflected "a blind, unreasoning love of place."[159] Without acknowledging the complexity of federalism, Perce warned, it would fail as a model of government. "If there be not philosophy in this divided sovereignty, then is it worse than useless."[160] Sounding the same theme, Hoar stressed that America's unique political innovation was neither republicanism nor democracy, but its "peculiar division of powers between the general and local authority… distinguished only by the subject-matter over which they extend."[161] What the defenders of states' rights ignored, Hoar argued, was that "the division between these two functions is not material or territorial, so the security which each has against an infringement by the other is moral and not physical."[162] Like Daniel Webster and other strong federalists before them, Perce and Hoar did not see an individual's identity as a citizen of the state and of the nation as divisible. The individual citizen was destined, always, to be both at once—constituted into a contradiction.

Because individuals in the United States would always have to negotiate split identities, Hoar's emphasized a *moral*, rather than physical or territorial, distinction. When the system worked properly, Hoar noted, state and federal tensions were a distant concern for most Americans. "In their ordinary routine," Hoar explained, "the duties of the State and the nation never conflict."[163] When those lines became contested and blurred, however, mundane contradictions became nation-threatening controversies. The task before citizens went from business-as-usual to moral adjudication. This responsibility of making moral choices could not be exclusively handled through formal, detached mechanisms as the Federalists once envisioned. Eventually decisions had to be made, and not by abstract institutions or virtuous rulers, but by ordinary people. Eventually, Hoar and Perce implied, deference to the Constitution had to come to an end.[164] At that end, the enlightened judgment of individual citizens became an unavoidable necessity. For Perce, the Constitution implied this individual duty in its tiered system of authority. Citizens needed to grasp their own relation to each component of government that implicated them, and be "prepared to sustain his part in the social organism."[165] This meant not merely relying on government representatives to adjudicate pressing issues, but also on "an amount of intelligence in the citizen necessary to grasp the various questions presented to him for action."[166] In Hoar's view, a failure to cultivate this mental capacity risked a polity prone to further barbarism and sectional conflict. A recent federal trial of Ku Klux Klan members reified his point: a group of murderers pleaded innocent by reason of ignorance, claiming to know nothing but inhumanity toward blacks and obedience toward the wealthy and well-educated planter class.[167]

By moving tensions over substantive and formal modes of judgment to the mind of the individual citizen, Hoar and Perce postulated education a way of eliminating conflicts of authority. All the tumult of the previous decades, all the battles over jurisdiction, could be rendered unnecessary if the people were imbued with the individual capacity for a hybrid form of political judgment.[168] "So far as the people are educated," Hoar argued, "just so far the functions and the necessities of government recede and disappear."[169] Hoar went so far as to suggest that education represented the surest path to unfettered states' rights.

> The more educated and intelligent the people become, the more certain are they in the first place to take just views of the meaning of the Constitution. The better educated they are, the greater their capacity to grasp the fundamental principles upon which the protection of the rights of the States, the weaker power, against the nation, the stronger power, is in the end to depend. The better educated the people, the surer they are to see the importance of obeying the general rules, of respecting constitutional safeguards, and of opposing law and duty against temporary inclination accompanied by power.[170]

In this passage, Hoar placed a tremendous weight on the individual citizen's shoulders. In this way, his argument anticipated the Progressive Era turn to a normative value of "informed citizenship," with its demands that each individual citizen possess a deep understanding of complex issues.[171] In Hoar's argument, this turn was not individualistic, but nationalistic. The fate of a fragile system of federal authority hung in the balance, and seemed to be salvageable only if all citizens could think for themselves.

As a representative voice of the Massachusetts common school movement, Hoar's position in 1872 evinced a remarkable shift from his own past positions. Rather than producing a widely-shared sentiment that would dissolve sectional differences, Hoar would settle for individuals with the capacity of political judgment. A compromise with, or perhaps an attempt to coopt, the firm states' rights appeals of their adversaries, the position taken by Hoar and his colleagues left the means and ends of education nebulous. Education would be encouraged, financed, supervised, and coaxed from many quarters with many aims. Local and national sentiments would clash and intermingle. Children would learn their place in a complex political system and learn to navigate the conflicts of authority that system produced. Hopefully, they could reason themselves out of another Civil War.

Despite his abandonment of the idea that the schools could directly intervene in forming substantive political sentiments, Hoar did not waver in the conviction that the school could rectify the problems of American society. With a competent system of common schools in every state, Hoar insisted, he "would be contented that the wand of power might be held by my political opponents for a century."[172] Unlike his Federalist forebears who would mitigate the whims of political opponents through the checks, balances, and formal decision-making bodies of government, Hoar vested a faith in the political judgment of the individual citizen. Hoar had arrived at a concept of education somewhere between state and federal prerogatives, a concept that even Storm—that most aggressive critic of Massachusetts schools—could grudgingly endorse through a vote for the bill. For all his concessions, Hoar could still say, without irony, and without inciting refutation: "Upon the fate of the common schools hangs the fate of America."[173]

Toward an Educational Imaginary

The Perce Bill passed the House of Representatives, but never reached the floor of the Senate for a vote. Each time the bill could be brought up, a ranking member of the Senate Committee on Education and Labor asked that it be passed over. The unlikely culprit was Senator Justin Smith Morrill of Vermont, who just a decade before secured the House's passage of the so-named Morrill Act for agricultural land grant colleges. In Hoar's account, Morrill feared that the Perce Bill's land grant provisions would negate his previous legislation for agricultural colleges.[174]

The bill's silent death by Morrill's inaction brought an anticlimactic end to a decade of education policy debate that he helped inaugurate. It also underscored the need for caution when drawing conclusions from these debates, attesting to Dilip Parameshwar Gaonkar's observation that "the process through which [doctrine or theory] penetrates and takes hold of a social imaginary is slow and complex."[175] The journey from this debate to the set of tacit assumptions I have dubbed America's "educational imaginary" did not proceed in any straight line from Reconstruction to the present. Even those whose visions proved eerily prescient were subject to the complexities and unpredictability of politics, the slow evolution of sentiments, the enthusiasms of reformers, and the whole broader web of social practices. Nor did shared premises in this debate reflect a consensus in 1872. Even if the votes of these congressmen perfectly represented their constituents' sentiments—which, of course, they did not—the final count of "ayes" for the bill reflected a considerable lack of support for the measure in the West and South, the two regions it was purportedly designed to assist.[176] When Hoar tried to restart the debate in 1873, he garnered little support at all.[177] As the Republican Party divided in

1872 and the Democrats, bolstered by economic depression, reclaimed the Congress two years later, radical efforts to exert muscular education policy drew to a close.

Nonetheless, the debate over Perce's proposal for an educational fund represented an important moment in America's transition from the fragmentary modes of early 19th century acculturation to the nearly universal experience of formal education that sustains so many tacit assumptions today. In the midst of tremendous legal change, battles over immigration and race, and apprehensions about national cohesion, the debates regarding the Hoar and Perce bills featured partisans of disparate commitments coming to terms with one another's perspectives. As assertive policy proposals aiming to alter the federal government's relationship to education, these debates drew together the complexities of education policy argument addressed across the scope of this project. Chronologically subsequent to Charles Sumner's efforts to require common schools in the South, the dissolution of the Freedmen's Bureau, and battles over funding for the Bureau of Education, the Perce Bill debate exhibited rhetorics of temporal projection, dispositional evaluation, and educational ambiguity. By 1872, it was not merely idiosyncratic visionaries like Ignatius Donnelly relying on these rhetorics, but also Democrats deeply opposed to federal education policy.

In the midst of the debate over his colleague's legislation, George C. McKee of Mississippi declared that the Perce Bill was "a grand closing up of this decade with its three eras of war and reconstruction and peace."[178] More than a closing up, the bill exhibited a reallocation of conflicts over authority to another site where they would proceed just as aggressively as before. Following Jasinski's call to trace the evolving potential and constraints of political judgment across American history, I identify the

Perce Bill as a perspicuous moment.[179] In affirming the school as a crucial site in struggles for the meaning of government authority, the Hoar and Perce Bill debates foreshadowed how many conflicts over federalism would be waged in the 20th and 21st centuries. The increasingly taken-for-granted assumptions about education enabled a range of constitutional questions to be considered on new terrain. Matters of inclusion, racial integration, and local autonomy could all be disputed through the easily-imagined space of the classroom, lending concreteness to debates that the Constitution rendered as timeless abstractions. Moreover, the Hoar and Perce debates signaled a shift among proponents of strong central government from relying on formal methods of adjudication toward emphasizing the substantive judgment of citizens. Part of the reconstitution of American political life during Reconstruction, these congressional arguments signaled a focus on the individual mind as a site of discursive conflict in future battles over state and federal control. In the decades that followed, normative expectations of civic participation would evolve to reflect this emphasis on the informed citizen.

A refuge in the future for the intractable problems of the present, education provided conservatives and radicals alike with a way to place the agency and decision-making of discrete individuals at the center of debate. In a broader social imaginary increasingly sustained by notions of malleable character, work ethic, and merit, an ideology of education as a determiner of one's political judgment linked up powerfully to an emerging Gilded Age emphasis on laissez faire individualism. Synthesizing these ideas, Garfield remarked near the end of the Perce debate that "[t]he mind must be as free from extraneous control as possible; must work under the inspiration of its own desires for knowledge; and while instructors and books are necessary helps, the fullest and

highest success must spring from the power of self-help."[180] Ever the cautious reconciler of political beliefs, this former educator and future president articulated the allure of education that would sustain it for a century and a half to come, the notion of equal opportunity. A way to improve society by burdening the individual, a way to transform the future without addressing the present, a way to channel conflicts over government by demanding the judgment of the governed, the school, for all its ambiguities, provided an escape route for civic controversies. The school became an essential component of America's social imaginary, enabling and constraining a range of civic practices, debates, and forms of life.

Notes: Chapter Four

[1] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:862.

[2] John Eaton, Jr., *Grant, Lincoln and the Freedmen: Reminiscences of the Civil War, with Special Reference to the Work for the Contrabands and Freedmen of the Mississippi Valley* (New York: Longmans, Green, and Company, 1907), 258-260.

[3] Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988), 421-422.

[4] Eaton, *Grant, Lincoln and the Freedmen,* 248-258.

[5] John Eaton, Jr., *The Relation of the National Government to Public Education: An Address Delivered before the National Teachers' Association, at Cleveland, Ohio, Aug. 17, 1870* (Philadelphia, PA: Educational Gazette Publishing Company, 1870), 9.

[6] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 1:808.

[7] On the controversy of the proposal, see Gordon Canfield Lee, *The Struggle for Federal Aid, First Phase: A History of the Attempts to Obtain Federal Aid for the Common Schools, 1870-1890* (New York: Columbia University Teachers College Bureau of Publications, 1949), 42-55; Williamjames Hull Hoffer, *To Enlarge the Machinery of Government: Congressional Debates and the Growth of the American State, 1858-1891* (Baltimore, MD: Johns Hopkins University Press, 2007), 108-117.

[8] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 42, pt. 2:1039.

[9] George F. Hoar, *National Education: Speech of Hon. George F. Hoar, of Massachusetts, in the House of Representatives, February 7, 1871* (Washington, DC: Congressional Globe Office, 1871).

[10] In making this point, I am following Tracy L. Steffes, who poses the oft-overlooked question, “how and why did American public schooling come to appear so similar across the nation despite decentralized legal control and no significant federal role?” Tracy L. Steffes, *School, Society, & State: A New Education to Govern Modern America, 1890-1940* (Chicago: University of Chicago Press, 2012), 9. On the role of federalism in contemporary American education policy, see Paul Manna, *School’s In: Federalism and the National Education Agenda* (Washington, DC: Georgetown University Press, 2007); Paul Manna, *Collision Course: Federal Education Policy Meets State and Local Realities* (Washington, DC: CQ Press, 2011).

[11] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 42, pt. 2:1040.

[12] Ward M. McAfee, *Religion, Race, and Reconstruction: The Public School in the Politics of the 1870s* (Albany: State University of New York Press, 1998), 106-109.

[13] Henry Wilson, “New Departure of the Republican Party,” *Atlantic Monthly* 21 (1871): 120.

[14] James Madison, “No. 39: The Conformity of the Plan to Republican Principles,” in *The Federalist Papers*, ed. Charles R. Kesler (1788; New York: Signet Classics, 2003), 241-242.

[15] On substantive versus formal modes of judgment, see Ronald Beiner, *Political Judgment* (Chicago: University of Chicago Press, 1983), 103-109.

[16] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, Appendix, 486.

[17] Charles Taylor, *A Secular Age* (Cambridge, MA: Harvard University Press, 2007), 172.

[18] James L. Vallandigham, *A Life of Clement L. Vallandigham* (Baltimore: Turnbull Brothers, 1872), 438; Michael Todd Landis, *Northern Men with Southern Loyalties: The Democratic Party and the Sectional Crisis* (Ithaca, NY: Cornell University Press, 2014); Mark Wahlgren Summers, *The Ordeal of the Reunion: A New History of Reconstruction* (Chapel Hill: University of North Carolina Press, 2014), 300-304. On the shifting racial politics of the Democratic Party, Kirt H. Wilson writes that "the 1870s civil rights debate demonstrates that overt and explicit claims about black inferiority were expressed by only a few extreme Democrats." Kirt H. Wilson, *The Reconstruction Desegregation Debate: The Politics of Equality and the Rhetoric of Place, 1870-1875* (East Lansing: Michigan State University Press, 2002), 78.

[19] On the roots of the concept of democratic localism that the Democrats relied upon in this debate, see Michael B. Katz, *Reconstructing American Education* (Cambridge, MA: Harvard University Press, 1987); Nancy Beadie, *Education and the Creation of Capital in the Early American Republic* (New York: Cambridge University Press, 2010), 20-29. For a balanced account of both parties' antebellum efforts on behalf of education, see Julie M. Walsh, *The Intellectual Origins of Mass Parties and Mass Schools in the Jacksonian Period: Creating a Conformed Citizenry* (New York: Garland, 1998).

[20] On the Republican Party's shift away from the policies of radicalism, see Foner, *Reconstruction,* 412-511.

[21] For Perce's explanation of the bill, see *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt.1:535-536.

[22] For a history of this period with a focus on the transformation of the American state, see Morton Keller, *Affairs of State: Public Life in Late Nineteenth Century America* (Cambridge, MA: Harvard University Press, 1977), 37-287.

[23] Record of the Business Transacted by the Committee on Education and Labor of the House of Representatives, During the 2nd Session of the 41st Congress, Commencing on Dec. 6, 1869, pp. 6-7; Records of the Committee on Education and Labor, 40th-48th Congresses (1867-1883); Records of the U.S. House of Representatives at the National Archives, 1789-1989, Record Group 233; Center for Legislative Archives; National Archives Building, Washington, DC.

[24] James Jasinski, "Rhetoric and Judgment in the Constitutional Ratification Debate of 1787-1788: An Exploration of the Relationship between Theory and Critical Practice," *Quarterly Journal of Speech* 78 (1992): 197-218.

[25] Beiner, *Political Judgment,* 100-101.

[26] James Madison, "No. 10: The Same Subject Continued," in *The Federalist Papers,* 72-73.

[27] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 101.

[28] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 1:763.

[29] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 192. William McDonald and J.S. Blackburn, *A Southern School History of the United States of America: From the Earliest Discoveries to the Present Time* (Baltimore, MD: George Lycett, 1869).

[30] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1073.

[31] As Jasinski notes, during the Federalist and Anti-Federalists' debates, the opponents to government centralization tended to be the ones favoring substantive modes of judgment. I later address the peculiarity that this is where proponents of centralized government eventually turn. Jasinski, "Rhetoric and Judgment in the Constitutional Ratification Debate of 1787-1788," 206-208.

[32] William M. Wiecek, *The Guarantee Clause of the U.S. Constitution* (Ithaca, NY: Cornell University Press, 1972); Akhil Reed Amar, *America's Constitution: A Biography* (New York: Random House, 2005), 364-380.

[33] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, Appendix, 479. See also the remark of Pennsylvania Republican Washington Townsend: the Constitution "intends that the people of the States shall have and enjoy free institutions in substance as well as in form." *Congressional Globe* 41st Cong., 3rd Sess., 42, 1871, pt. 2:1377.

[34] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 98.

[35] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1243-1244.

[36] This appeal echoed Alexander Hamilton's argument that the people have a direct line to the government, not merely one mediated by the states. "The government of the Union, like that of each State, must be able to address itself immediately to the hopes and fears of individuals." Alexander Hamilton, "No. 16: The Same Subject Continued," in *The Federalist Papers,* 111.

[37] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 1:808.

[38] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 1:808.

[39] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1041.

[40] Jasinski, "Rhetoric and Judgment in the Constitutional Ratification Debate of 1787-1788," 209.

[41] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, Appendix, 479. Similarly, Prosser stressed that the demands on republican governments were more pronounced in the United States due to "the vastness of interests involved" when considering candidates for elected office. *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 192. Similarly, Wilson argued in his "New Departure" essay "that every one who casts his ballot should have some general opinions upon such subjects, enough at least to choose intelligently between the conflicting claims and their advocates presented for popular adoption and support." Wilson, "New Departure of the Republican Party," 108.

[42] Jasinski, "Rhetoric and Judgment in the Constitutional Ratification Debate of 1787-1788," 214; Beiner, *Political Judgment,* 160-161.

[43] All biographical information on members of Congress, unless otherwise noted, comes from the *Biographical Directory of the United States Congress*, online at http://bioguide.congress.gov/biosearch/biosearch.asp

[44] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2317-2319.

[45] Beiner, *Political Judgment,* 83-97.

[46] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 79.

[47] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 94.

[48] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 95.

[49] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 95.

[50] Contemporary historians tend to argue the opposite, demonstrating that Democratic governments in the South proved destructive to public schools, while their

Republican counterparts, “carpetbaggers” and black leaders included, dramatically expanded the availability of schools and education. See, Foner, *Reconstruction,* 422-444; Douglas R. Egerton, *The Wars of Reconstruction: The Brief, Violent History of America’s Most Progressive Era* (New York: Bloomsbury Press, 2014), 134-167.

[51] For example, see comments of Arnell, *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 100.

[52] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 80.

[53] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1371.

[54] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1371.

[55] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1372.

[56] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1372.

[57] See Hoar’s response to Bird, *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 1:808.

[58] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1041.

[59] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1041.

[60] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 78.

[61] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 96.

[62] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 97.

[63] See, for instance, McNeely’s interjection, *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1377.

[64] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 79.

[65] Brian Balogh, *The Associational State: American Governance in the Twentieth Century* (Philadelphia: University of Pennsylvania Press, 2015): 29-30.

[66] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 95. Also see McNeely's remarks during the Freedmen's Bureau debate, *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2317.

[67] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1373.

[68] *Congressional Globe,* 41st Cong., 2nd Sess., 1870, 42, pt. 3:2319.

[69] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 77-78, 94.

[70] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1371; *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 98.

[71] *Congressional Globe,* 41st Cong., 3rd Sess., 1871, 43, pt. 2:1243.

[72] Record of the Business Transacted by the Committee on Education and Labor of the House of Representatives, During the 2nd Session of the 42nd Congress, Commencing on Dec. 4, 1871, p. 52; Records of the Committee on Education and Labor, 40th-48th Congresses (1867-1883); Records of the U.S. House of Representatives at the National Archives, 1789-1989, Record Group 233; Center for Legislative Archives; National Archives Building, Washington, DC.

[73] Record of the Business Transacted by the Committee on education and Labor of the House of Representatives, During the 2nd Session of the 42nd Congress, pp. 55-56.

[74] Perce notes Dunnell's role in drafting the legislation during the debate. *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:567.

[75] McAfee, *Religion, Race, and Reconstruction,* 115.

[76] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:535-536.

[77] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:569.

[78] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 2:903.

[79] As Taylor says, an inquiry into the social imaginary means considering not just "the norms underlying our social practice," but also "what makes these norms realizable." Taylor, *A Secular Age,* 30; 171-175.

[80] This is a reference to the title of Zarefsky's book, but also to its rhetorical and historical approach of considering how interlocutors pragmatically modify their positions to establish distinctions and points of agreement. David Zarefsky, *Lincoln, Douglas, and Slavery: In the Crucible of Public Debate* (Chicago: University of Chicago Press, 1990).

[81] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:793.

[82] McAfee, *Religion, Race, and Reconstruction,* 113-121.

[83] Eugene Virgil Smalley, *A History of the Republican Party from its Organization to the Present Time to which is Added a Political History of Minnesota from a Republican Point of View and Biographical Sketches of Leading Minnesota Republicans* (St. Paul, MN: E.V. Smalley, 1896), 375. It is telling that the dominant criticism lobbed at Dunnell was his savvy in uniting politics and education. In a pamphlet criticizing Dunnell's congressional bid, an anonymous fellow Republican in Minnesota impugned him as an opportunistic office-seeker who fought for the creation of the State Superintendent position purely as a vehicle for political exposure. A Republican [pseud.], *Colonel Mark H. Dunnell: A Few Chapters of His Personal Military and Political History* (n.p., 1867).

[84] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 2:851.

[85] Balogh, *The Associational State,* 201.

[86] Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (1970; rpt., New York: Oxford University Press, 1995), 27-28.

On the complex mythos surrounding western lands in the United States, see Stephanie L. Sarver, *Uneven Land: Nature and Agriculture in American Writing* (Lincoln: University of Nebraska Press, 1999).

[87] See, for instance, McNeely's remarks, *Congressional Globe,* 41st Cong., 3rd Sess., 1871, Appendix, 96.

[88] In previous debates Republicans had tried to justify directly funding education for the freedpeople through the opposite approach of interrogating the anointed status of lands as a worthy source of charity. The pragmatic Lyman Trumbull, for instance, pondered why the government could purchase lands from Native Americans and then donate those lands to Freedmen's Bureau schools, rather than simply donating funds directly. The Perce Bill's direct linkage of lands and funds thus represents not just a fiscal, but also a rhetorical, choice. *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:321.

[89] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:564.

[90] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:593.

[91] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:593.

[92] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:851. Also see the remarks of Samuel Shellabarger of Ohio, 797-798.

[93] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:566.

[94] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:567.

[95] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:593.

[96] On the relationship of government sponsorship and supervision during this era, see Hoffer, *To Enlarge the Machinery of Government,* 75-82. On the close interplay of

the federal government and voluntary associations during this period, see Gary Gerstle, *Liberty and Coercion: The Paradox of American Government from the Founding to the Present* (Princeton, NJ: Princeton University Press, 2015), 118-123; Brian Balogh, *A Government Out of Sight: The Mystery of National Authority in Nineteenth-Century America* (New York: Cambridge University Press, 2009), 277-308.

[97] Rather than imitating European models, he argued, Americans needed to recognize that Europeans were copying America's associational approach. He cited one French foreign minister who urged that his country "multiply[], as in America, those free associations, those generous donations, which will enable us to place public instruction on the broadest foundation." *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:859-860. Among the Europeans Garfield cited was Matthew Arnold, whose perspective on decentralized education policy would later have significant influence on American education reform. Margaret J. Marshall, *Contesting Cultural Rhetorics: Public Discourse and Education, 1890-1900* (Ann Arbor: University of Michigan Press, 1995), 69-112. For the political/theoretical underpinnings of Garfield's argument for associational life, see Alexis de Tocqueville, *Democracy in America*, trans. Arthur Goldhammer (1835; New York: Library of America, 2004), 215-223.

[98] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:860.

[99] Note that Garfield's conception of the American education "system" here resembles the piecemeal, top-down/bottom-up process described by Steffes more than the top-down process of administrative imposition described in previous histories. Steffes, *School, Society, and State,* 8-12; compare to David B. Tyack, *The One Best System: A*

History of American Urban Education (Cambridge, MA: Harvard University Press, 1974).

[100] Balogh, *The Associational State,* 40.

[101] On the shifting makeup of Congress, see McAfee, *Religion, Race, and Reconstruction,* 119-123; Foner, *Reconstruction,* 460-534; Earl M. Maltz, *Civil Rights, the Constitution, and Congress, 1863-1869* (Lawrence: University Press of Kansas, 1990), 142-148.

[102] Virginia's John Critcher argued that the tradition of Washington, Madison, and Monroe proved his state produced intellect without a formal school system. And Benjamin Biggs of Delaware questioned the Republican obsession with schooling, contending that "[i]gnorance, dreadful and direful as it is, is not altogether the danger of our national peril." *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:799-801.

[103] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:592.

[104] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:789.

[105] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:789.

[106] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:789.

[107] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, Appendix, 38.

[108] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, Appendix, 39.

[109] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:789-853. See Biggs, 798; MacIntyre, 801; Kerr, 791; Critcher, 801. Interpretations of education in Tennessee were particularly pronounced in a heated exchange between two of the state's congressmen, Republican Roderick R. Butler and Democrat Abraham E. Garrett, 852-853.

[110] See, for instance, McHenry's defense of Kentucky's new Democrat-appointed Superintendent, *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:788.

[111] See MacIntyre, *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:801.

[112] See Biggs, *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:798.

[113] See McHenry, *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:789.

[114] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:566-567; 569.

[115] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:851-852.

[116] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:791.

[117] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:569.

[118] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:569; see also McHenry, 789; Andrew King of Missouri, 800.

[119] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:854.

[120] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:795.

[121] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:860.

[122] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:861.

[123] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:882.

[124] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:564.

[125] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:566.

[126] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:591.

[127] Perce makes this claim through a comparison of statistical tables. *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:863.

[128] Rogers Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History* (New Haven, CT: Yale University Press, 1997), 6.

[129] McAfee, *Religion, Race, and Reconstruction,* 25; 27-29; Steven K. Green, *The Bible, the School, and the Constitution: The Clash that Shaped Modern Church-State Doctrine* (New York: Oxford University Press, 2012), 93-136.

[130] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:799.

[131] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:799.

[132] See Storm's report in C.R. Coburn, *Report of the Superintendent of Common Schools of the Commonwealth of Pennsylvania for the Year Ending June 5, 1865* (Harrisburg, PA: Singerly & Myers, 1866), 155-157.

[133] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:858.

[134] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:857.

[135] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:857.

[136] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:857.

[137] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:857.

[138] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:857-858.

[139] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:858.

[140] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt.1:384.

[141] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:569.

[142] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1. See MacIntyre, 568; Kerr, 791; Bird, 792; and Harris, 855. Storm cited directly from Sumner's bill and Senate speech, 856-857. On the "mixed schools conspiracy," see McAfee, *Religion, Race, and Reconstruction,* 123.

[143] *Congressional Globe,* 39th Cong., 1st Sess., 1866, 36, pt. 1:538.

[144] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:569.

[145] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:791; Charles Sumner, *Argument of Charles Sumner, Esq. Against the Constitutionality of Separate Colored Schools, in the Case of Sarah C. Roberts vs. The City of Boston Before the Supreme Court of Mass, Dec. 4, 1849* (Boston: B.F. Roberts, 1849), 15.

[146] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:791.

[147] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:791.

[148] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:855.

[149] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:856.

[150] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:856.

[151] "[N]o man is authorized to say that the southern people abhor social intercourse between the races," Republican William D. Kelley of Pennsylvania mocked. "The complexions of millions of people attest to the falsity of that assertion." Joseph Rainey of South Carolina, one of the two black representatives elected to the 42nd Congress and a former slave himself, offered similarly wry antagonism. "Why this fear of the negro since he has been a freedman, when in the past he was almost a household god, gamboling and playing with the children of his old master?" Accusingly, he added, "And occasionally it was plain to see that there was a strong family resemblance between them." While Rainey's remark jabbed at a hypocrisy that he, once enslaved, had long witnessed, it also ceded the temporal justification for integration as a means of promoting social change. In many ways, these remarks continued the antebellum tradition of antagonizing the Southern delegations' rhetoric of "honor" and "manhood" by

insinuating acts of rape by slaveholders upon their slaves. In general, these remarks stoked nationwide apprehensions about interracial marriage and the dilution of white racial "purity." *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:858; *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, Appendix, 15-16. On "explosive" reactions to charges of rape by Southern congressmen, see Susan Zaeske, "'The South Arose as One Man': Gender and Sectionalism in Antislavery Petition Debates, 1835-1845," *Rhetoric & Public Affairs* 12 (2009): 348-349. On national fears of miscegenation, see Forrest G. Wood, *Black Scare: The Racist Response to Emancipation and Reconstruction* (Berkeley: University of California Press, 1970), 53-79.

[152] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:882; 903.

[153] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, Appendix, 16.

[154] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:793.

[155] Like Taylor, I differentiate "political theory" from a "social imaginary" as an explicitly-articulated, and not necessarily widely-held, view of political life. I use that term here because the fairly complex view of education's role in federalism that Hoar and Perce propounded certainly was not a commonly-held assumption in this debate, let alone something that a great many people in American culture take for granted in all its complexity. The basic supposition of their theory—that citizens need education to navigate between the different imperatives of government—is something that, I argue, Americans today basically accept as a core aspect of civic education.

[156] Madison, "No. 39," 241-242.

[157] Alison L. LaCroix, *The Ideological Origins of American Federalism* (Cambridge, MA: Harvard University Press, 2010), 133.

[158] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:862.

[159] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:862.

[160] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:862.

[161] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:591.

[162] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:591.

[163] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:591.

[164] On the limitations of the Constitution as a response to changing situations, see Kenneth Burke, *A Grammar of Motives* (1945; rpt., Berkeley: University of California Press, 1969), 364-365.

[165] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:862.

[166] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:862.

[167] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:591.

[168] On political judgment as a hybrid of substantive and formal modes of judgment, Beiner explains, "Participation and spectatorship compose the strands of a common fabric, and this fabric constitutes the medium of human being-in-the-world. Each moment of such dwelling in a human world is, *simultaneously,* an act of shared involvement and critical distance." Beiner, *Political Judgment,* 161.

[169] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:592. On the same theme, Perce added: "[T]he intelligence of the people makes them more law-abiding, upright, peaceable, honest, and brave," eliminating the necessity that they be governed by outside authorities. *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:862.

[170] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:591.

[171] As Michael Schudson notes, this inward turn gradually eroded certain vestiges of American civic togetherness, particularly in political party affiliation. Ironically, while the atomizing pressure of the informed citizenship model was apparent in Hoar's argument, he did not justify it on individualistic grounds. Michael Schudson, *The Good Citizen: A History of American Civic Life* (New York: The Free Press, 1998), 182-187; Michael Schudson, "Good Citizens and Bad History: Today's Political Ideals in Historical Perspective," *Communication Review* 4 (2000): 1-19.

[172] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:594.

[173] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:594.

[174] George Frisbie Hoar, *Autobiography of Seventy Years*, vol. I (New York: Charles Scribner's Sons, 1903), 265; Hoffer, *To Enlarge the Machinery of Government,* 116.

[175] Dilip Parameshwar Gaonkar, "Toward New Imaginaries: An Introduction," *Public Culture* 14 (2002): 11.

[176] Among New England Representatives, 20 voted for and only 3 against the bill. In the South, 35 favored the legislation while 41 opposed it. The vast majority of Southerners voting "yea" were from outside of the region. "The chief conclusion to be drawn from the votes of the remaining sections, as at least a partial reflection of general public opinion, is that anything but unanimity was prevalent." Lee, *The Struggle for Federal Aid,* 83-84.

[177] McAfee, *Religion, Race, and Reconstruction,* 121-123.

[178] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:794.

[179] Jasinski, "Rhetoric and Judgment in the Constitutional Ratification Debate of 1787-1788," 214.

[180] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:860.

EPILOGUE

"THE DIVIDING LINE WILL NOT BE MASON AND DIXON'S"

> *If we are to have another contest in the near future of our national existence, I predict that the dividing line will not be Mason and Dixon's, but between patriotism and intelligence on the one side, and superstition, ambition and ignorance on the other.*
>
> - President Ulysses S. Grant, September 29, 1875[1]

During a 2016 town hall debate before the Democratic Party primary election in Iowa, an audience member asked Hillary Clinton to name the past president she found most inspiring. She chose Abraham Lincoln, citing his political acumen and penchant for compromise. She then waded into murkier historical waters. Speculating on how Lincoln would have governed after the Civil War, she remarked, "I bet that it might have been a little less rancorous, a little more forgiving and tolerant, [and] that might possibly have brought people back together more quickly." She then added: "instead, you know, we had Reconstruction, we had the re-instigation of segregation and Jim Crow. We had people in the South feeling totally discouraged and defiant. So, I really do believe he could have put us on a different path."[2] Clinton's remarks rankled some listeners, who contended that she articulated an outdated, "Lost Cause" narrative of radical Reconstruction as a brutal, unfair imposition on the South. Ta-Nehisi Coates of *The Atlantic* speculated that Clinton had never shaken off her 1960s public school education, which preceded mainstream historians' rebuke of Confederate sympathizers. This racist narrative, Coates said, "is almost certainly the version [of Reconstruction] fed to Hillary Clinton during her school years, and possibly even as a college student."[3]

The controversy over Clinton's comment captures a pair of truisms regarding how Americans imagine their national community. The first is that, 150 years after Appomattox, Americans still debate the meaning of Reconstruction and its lingering consequences for federalism, race, and national identity. The second is that, 50 years after a person graduates from high school, Americans have little difficulty imagining what that person learned as a teenager. Both of these truisms have a bearing on America's social imaginary. As Charles Taylor writes, "our sense of where we are is crucially defined in part by a story of how we got there."[4] Today the story of "how we got here" cannot be fully separated from some account of how the nation grappled with the legacies of slavery and Civil War. Nor can it be separated from the pervasive role of education in most American lives since at least the middle of the 20th century.

In this project, I argue that Reconstruction Era congressional debates signaled a major transitional moment in the development of America's "educational imaginary," a set of background assumptions about schooling that inflect a range of practices in American civic life. During the 1860s and 1870s, radical policymakers advanced assertive visions of education as a response to postwar exigencies. Amid the pressures of rebuilding a nation, confronting the consequences of slavery, and preserving divided sovereignty, these leaders contemplated the federal government's role in education.

Through the language of reformers like Charles Sumner, Thomas D. Eliot, James A. Garfield, and George Frisbie Hoar, the ideas of the common school movement entered a forum of divergent sectional prerogatives and competing national visions. Their positions were challenged, negotiated, (mis)interpreted, and adapted over the course of a decade. Tracing the trajectory of these debates, I examined how the ambiguity of

"education" made it an alluring way to project visions of social change, reframe postwar problems, confer civic worth, and dig beneath the constitutive contradictions of federalism. Though radicals' policy proposals seldom passed, their clashes with discursive opponents in the House of Representatives and Senate demonstrated the emergence of key premises about education's place in the postbellum polity.

Those premises played an essential role in the massive educational expansion that followed in the late 19th and early 20th century. Educational historian Tracy Steffes observes that, "despite decentralized legal control and no significant federal role," by the end of the 1930s Americans had developed a mostly uniform system of schools across the country.[5] Without formal coordination, policymakers, politicians, experts, associations, and grassroots advocates dispersed across all levels of government promoted education as a solution to the challenges of industrialism. As Steffes writes, this expansion happened through countless quotidian rhetorical encounters. One town's local school board echoed the practices of another. A state superintendent convinced the state legislature to adopt a suggestion promoted by the Bureau of Education. Community members began agitating school leaders for a pedagogical practice they read about in a newspaper. An association convinced a rural community to make schools a priority. That such haphazard expansion resulted in such uniformity, Steffes suggests, required the formation of common agreements about the purposes and structure of schooling across the country, even as those schools pursued different social ends. It required a rhetoric of education policy that harnessed the ambiguous potential of schools in a way that many people could embrace.

In this project, I have identified the emergence of such a rhetoric from the tumultuous arguments of Reconstruction Era policymakers. Over the course of their

debates, diverse interlocutors agreed that the future social relations, culture, and values of a society could be shaped through schools. They concurred that a person's "education"—however that might be defined—determined their merit, their worth, and their right to participate in politics. They agreed that school systems should share a basic structure and be managed through a diversity of governmental and associational authorities. They concluded that schooling offered the surest way for children to navigate the complexities of life in a federal polity. While these assumptions were not shared across the whole social imaginary, or even by all House members, in 1872, the pressures, beliefs, and anxieties that led members of Congress to embrace these shared premises were a microcosm of broader forces at work across American culture. Without these and similar assumptions spreading widely, the emergence of schooling as a nationwide project of social policy would have been impossible.

Today, these claims about education are seldom explicitly said, except in the tritest of political oratory. The subtle ways educational ideas and practices infuse day-to-day discourse often go unnoticed. It is even rarer for people to ask where these assumptions emerged from, or how. "Our past is sedimented in our present," Taylor cautions, "and we are doomed to misidentify ourselves, as long as we can't do justice to where we come from."[6] In reassessing the lost promises, untapped potential, and lingering consequences of Reconstruction, then, historians should attend to how the rhetoric of schooling negotiated responsibilities and reconfigured other domains of public policy.

During Reconstruction, policymakers invoked education as an ambiguous force, a temporal projector, and a means of evaluating dispositions. Through their appeals, they

inscribed a logic of deferral into a primary strategy for pursuing equal rights. They rationalized withdrawing support for former slaves. They produced a nimble rhetoric of exclusion based on ever-shifting criteria. They asked individual citizens to manage tensions of authority that elected lawmakers had failed to resolve. While the idioms have changed, these features of education remain part of American life. Contesting them, and all their problematic consequences, means reevaluating where they originated, how they developed, why they prevailed, and why they persist.

Policymakers during Reconstruction also foreshadowed tensions over the meaning of "education" that persist as fault lines when Americans debate about their schools. The rhetorical force of "education" as an answer to conflicts of authority and responsibility depended on its ambiguity. Crafting legislation of any kind, though, meant making choices, committing to terms, and narrowing meaning. Some congressional policies inscribed this conflict into the very terms of legislation, as in the Bureau of Education debate. Others opted to preserve ambiguity by turning to outside entities to handle the work of educating. Today, the indeterminacy of education makes it a complex site of ideological conflicts between capitalism and democracy, individualism and egalitarianism, permanence and change.[7] Just like debates over the Constitution, perpetual arguments over the meaning of "education" serve to reify the unquestionable virtue of education itself, all the while leaving substantive social dilemmas unsettled.[8]

Perhaps above all else, the visionary words of Reconstruction Era reformers persist in the way Americans imagine social change through their schools. When George Frisbie Hoar remarked that he would be comfortable handing the "wand of power" to his political rivals in an educated polity, he projected a different political future than the one

he inhabited.[9] He envisioned a society in which even his rivals shared certain fundamental ideas, beliefs, and forms of life. Education provided the same possibility to his opponents, who recognized the school as a way to resist the radicals' agitations for change, to preserve how their communities thought and felt. For both sides, this capacity to imagine a future-polity allowed them to identify as Americans while omitting a great many people from their "social imaginary." For Americans today, education still acts as a vehicle for imagining changes in how others think, worship, speak, vote, adapt, and obey.

Ironically, then, education fulfills the purposes of national community that leaders like Sumner and Hoar advocated after all. But it does so in a roundabout way, a way that belies America's civic health. Education provided postbellum Americans an ability, as Richard Rorty once put it, "to be loyal to a dream country rather than to the one you wake up to every morning."[10] Still today, when Americans struggle to imagine disparate strangers as part of the same nation, they turn to the schools. No matter how stubborn, backward, or dysfunctional Americans think their fellow citizens, there is always hope for those strangers' children—so long as they have education. That hope, however misplaced, sustains an imagined community.

Notes: Epilogue

[1] Ulysses S. Grant, "Speech in Des Moines, September 29th, 1875, before the Society of the Army of the Tennessee." Transcribed in L.F. Parker, "Grant's Des Moines Speech and Its History," *Iowa Historical Record* 1 (1885): 124.

[2] "CNN Iowa Democratic Presidential Town Hall: Rush Transcript," *CNN,* January 26, 2016, http://cnnpressroom.blogs.cnn.com/2016/01/26/cnn-iowa-democratic-presidential-town-hall-rush-transcript/.

[3] Ta-Nehisi Coates, "Hillary Clinton Goes Back to the Dunning School," *The Atlantic,* January 26, 2016, http://www.theatlantic.com/politics/archive/2016/01/hillary-clinton-reconstruction/427095/. Eric Foner argues that during the mid-1960s, high schools began teaching a view of history more supportive of radical Republican efforts. Eric Foner, "Struggle and Progress," *Jacobin,* August 2015, https://www.jacobinmag.com/2015/08/eric-foner-reconstruction-abolitionism-republican-party-lincoln-emancipation/.

[4] Charles Taylor, *A Secular Age* (Cambridge, MA: Harvard University Press, 2007), 29.

[5] Tracy L. Steffes, *School, Society, & State: A New Education to Govern Modern America, 1890-1940* (Chicago: University of Chicago Press, 2012), 9.

[6] Taylor, *A Secular Age,* 29.

[7] David F. Labaree, "Public Goods, Private Goods: The American Struggle over Educational Goals," *American Educational Research Journal* 34 (1997): 39-81; Jennifer L. Hochschild and Nathan Scovronick, *The American Dream and The Public Schools*

(New York: Oxford University Press, 2003); Svi Shapiro, *Between Capitalism and Democracy: Education Policy and the Crisis of the Welfare State* (New York: Bergin & Garvey, 1990).

[8] David Zarefsky and Victoria J. Gallagher, "From 'Conflict' to 'Constitutional Question': Transformations in Early American Public Discourse," *Quarterly Journal of Speech* 76 (1990): 251.

[9] *Congressional Globe,* 42nd Cong., 2nd Sess., 1872, 45, pt. 1:594.

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