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Abstract

The question of what kind of civic virtues citizens of the United States need in order to maintain the republic and to enable it to flourish, is one that was on the minds of the Framers themselves. They recognized that good government would depend upon the moral character and intellectual abilities of the citizens, on their having certain qualities of heart and mind. While institutional arrangements were employed to minimize reliance upon such character and abilities as much as possible, the Framers did not understand themselves to be eliminating those qualities, as an examination of *The Federalist* shows. Further, the institutional arrangements themselves were expected to contribute to the fostering of certain civic virtues. Yet it is not the case that such formal, structural provisions were expected to be sufficient on their own to engender good citizens. Rather, the Framers left the bulk of the responsibility of forming character to the states instead of the national government, where it was already being undertaken. Public education, in particular, is one means by which the states at the time of the Founding were seeking to cultivate good citizens for republican government in the United States.

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Despite the major transformations of American government since the Founding (steady democratization, establishment of the welfare state, concentration of policy making in the federal government, administrative centralization in the federal bureaucracy, expansion of rights, etc.), the foundation for our system of government laid by the Framers remains largely intact. The Constitution still gives shape and sets the limits to the possibilities imposed upon it.

Read with a view to civic virtue, the Constitution of the United States appears devoid of any explicit attention to the character of citizens. The only exceptions may be the oaths of office, the amendments prohibiting race and sex as eligibility criteria for voting, and the prohibition amendments. Even in these cases, however, the character of citizens is not explicitly mentioned. The lack of explicit constitutional provisions that recognize a need for civic virtue and attempt to foster it directly, though, is not decisive, as this paper will show. The Framers, who drafted the Constitution of the United States and were its strongest supporters, recognized a need for civic virtue in Americans if the new government was not only to function but was to be what they strived for—good government. They argued that numerous constitutional provisions actually do have an effect on character, and were designed to do so. Such arguments are made in *The Federalist*, to which we may turn to gain a fuller closer examination of the character of citizens and the special virtues required of them. This paper will suggest, however, that such provisions are only the final punctuation to the Framers' concern for the cultivation of civic virtue.

When one turns to *The Federalist* with the question of fostering civic virtue in mind, what is striking is the explicitly negative depiction of human nature by Publius

together with the scarcity of provisions to improve that nature. The qualities of human beings emphasized most frequently in *The Federalist* are passion, ambition, and self-interestedness (especially economic self-interest such as avarice, greed, love of wealth). Furthermore, there is mention of the “infirmities and depravities of the human character” (No. 37, 185), the “depravity of mankind which requires a certain degree of circumspection and distrust” (No. 55, 291), the “universal venality of human nature” (No. 76, 395), and “the folly and wickedness of mankind” (No. 78, 407). As Madison says in *The Federalist* No. 51 (269), “But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary”; and in No. 55 (288), “In all very numerous assemblies, of whatever character composed, passion never fails to wrest the sceptre from reason. Had every Athenian citizen been a Socrates, every Athenian assembly would still have been a mob.” So not only are human beings depraved and wicked by nature, our passions, ambitions, and interests routinely overrule our reason. This is a severe indictment of human nature, and it is the view upon which American government is founded. So given that representative democracy entails a heavy reliance upon the people for good government, a reliance surpassed only by pure democracy, it would seem that everything that can be done to encourage moderation, justice, public spiritedness, and prudence *should* be done.

This was the view of classical republicanism. Classical republicans in the American context sought to bring about a kind of “Christian Sparta” (Horwitz 1986, 137). It would be composed of citizens with sturdy yeoman virtues such as frugality, industry, temperance, and simplicity, as well as martial virtues such as scorn of ease, contempt of danger, and love of valor. It was understood that these virtues would require

some curtailment of liberty together with a civic education. Samuel Adams observed, “neither the wisest constitution nor the wisest laws will secure liberty and happiness of a people whose manners are universally corrupt” (Horwitz 1986, 138). This concern with the cultivation of civic virtues to correct for the defects of human nature was more the explicit concern of the Anti-Federalists than the Federalists. Their view did not prevail, though, so let us leave them aside for present purposes.

Rather than reshaping the character of citizens, the Federalists appear to have relied on constructing intricate institutional arrangements to correct for the worst effects of bad character, thereby limiting the opportunities for passion, ambition, and self-interest to undermine the common good. The separation of the three basic kinds of political power into three branches of government: the power to make the law, the power to execute the law, and the power to adjudicate violations of the law, is one example of this kind of institutional arrangement. These powers are, of course, not simply separated from one another, but each branch is given some degree of overlapping authority with the others, such that it can protect its own integrity and restrain any excesses of the other branches that are detrimental to the people’s interests. Yet this was not thought to be sufficient to control passion, ambition, and self-interest. The legislative branch, deemed to be the most dangerous, is itself divided into two, and each chamber of Congress is granted both overlapping and exclusive powers that would hold in check the excesses of the other. Governmental power was further divided between different levels of government: federal and state first of all, but in practice, county, city, and local governments as well. This fragmentation of power both across government and down through the levels of government makes it difficult to get things done. This was

intentional. In the Framers' view, the purpose of government is to protect life, liberty, and the pursuit of happiness. The greatest threat to these comes from government itself. Government must be restrained so far as to make it difficult to accomplish more than is strictly necessary, such that it cannot become overbearing. Perhaps through the right institutional arrangements, then, classical republicanism's attempt to reform human nature and instill civic virtue could be dispensed with. A closer look at *The Federalist*, however, shows that this is not the case.

In *Federalist* No. 1 (1), Hamilton notes that it has been

reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined for their political constitutions on accident and force. ... Happy will it be if our choice should be directed by a judicious estimate of our true interests, unperplexed and unbiased by considerations not connected with the public good.

Hamilton goes on to speak of the obstacles, though, to this public-spirited deliberation over the merits of the proposed constitution, especially the all-too-common "passions and prejudices little favorable to the discovery of the truth" (No. 1, 1). Most inimical to sound judgment and public-spiritedness, however, are the private interests of powerful, ambitious, and influential men on the one hand, and "the honest errors of minds led astray by preconceived jealousies and fears" on the other (No. 1, 2):

So numerous indeed and so powerful are the causes which serve to give a false bias to the judgment, that we, upon many occasions, see wise and good men on the wrong as well as on the right side of questions of the first magnitude to society. This circumstance, if duly attended to, would always furnish a lesson of moderation, to those who are engaged in any controversy.... Ambition, avarice, personal animosity, party opposition, and many other motives not more laudable than these, are apt to operate as well upon those who support as those who oppose the right side of a question.

At the outset of *The Federalist*, then, “establishing good government” is clearly thought to require moderation, calm deliberation, sound prudential judgment, and a devotion to the public good, not only among those who design the government, but among all those who must reflect on that design and decide whether to choose it as the fundamental law by which they will be governed. Such civic virtues as moderation, prudence, and justice are required throughout the citizenry at this crucial founding moment, and in *Federalist* No. 1, Hamilton is concerned about whether such qualities will prevail in the decision at hand.

He is not optimistic, in fact, about the likelihood of an impartial rational assessment on the merits of the document alone. “Happy will it be if our choice should be directed by a judicious estimate of our true interests, uninfluenced by considerations foreign to the public good. But this is more ardently to be wished for, than seriously to be expected” (No. 1, 1). There are too many interests, passions, and prejudices surrounding these matters to expect that “the discovery of the truth” will prevail in all. Regarding people in general, “in the contemplation of a sound and well informed judgment, their interests can never be separated” (No. 1, 3). Yet there is little choice but to strive for rational and impartial judgment.

The Federalist as a whole is an attempt to address this concern. While the proposed constitution itself contains many mechanisms to minimize reliance upon civic virtue for ongoing good government, the ratification process contained no built-in mechanisms to guarantee calm deliberation, a devotion to the broad public good, and sound prudential judgment. Reflecting on this predicament in *Federalist* No. 1 (3), Hamilton admits to having “an eye to putting you upon your guard against all attempts,

from whatever quarter, to influence your decision in a matter of the utmost moment to your welfare, by any impressions other than those which may result from the evidence of truth.” It is clear that throughout *The Federalist* Publius has the other eye set upon explaining both the system of government in the proposed constitution and why it serves the public interest, while also providing an example of the kind of calm deliberation, devotion to the public good, and prudence that the people themselves should emulate. *The Federalist* is designed to moderate the passions of the people, educate them about the choice before them, and encourage deliberation, public spiritedness, and prudence. If the American regime is not to be founded by “accident or force,” such qualities needed to be encouraged in the citizenry so as to establish “good government from reflection and choice.”

So *The Federalist* attempts to do once, at the founding of the nation, what its authors argue cannot be done routinely, educate the voting public on the merits of the issue, moderate their passions with reasoned argument, and appeal to their public spiritedness to make a prudent judgment that serves the common interest. It is hoped that “reason, justice, and truth” will prevail in their “authority over the public mind” at least this once (No. 63, 327). That is, the nation has a democratic moment at its birth, as the social contract theory of Hobbes and Locke describe, that establishes a representative form of government—a republic, not a pure democracy.

Now it may be that the virtue required in founding a regime may be significantly different from the virtue required to maintain it, as Machiavelli observed. So once well-established, individual character and ability might be less important. Yet state constitutions at the time frequently referred to the need to return regularly to

“fundamental principles,” presumably in order to correct and reinvigorate basic aspects of republican government. If so, then there may be a perpetual need for the virtue required in founding a regime. The American system of government seems to ignore this need and instead attempts to control the effects of passions and interests rather than to instill civic virtue or to rely on “enlightened statesmen” (No. 10, 45) or on “the philosophical race of kings wished for by Plato” (No 49, 262). Even so, in every branch of government the Framers acknowledged that a degree of civic virtue played a role and it was expected that people with such virtues would fill the offices of the new government often, if not always.

Most generally, republicanism relies in the first place on carefully chosen representatives to enact good public policy. In fact, Madison notes in *The Federalist* No. 10 (42) that the more democratic forms of government in the states were already recognized to be problematic.

Complaints are every where heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty, that our governments are too unstable; that the public good is disregarded in the conflict of rival parties; and that measures are too often decided, not according to the rules of justice, and the rights of the minor party, but by the superior force of an interested and overbearing majority.

Madison goes on to argue that such factions as these cannot be cured (except for a cure that is worse than the disease) and that the best that can be done is to alleviate the effects of faction. He shows how republics are especially well suited to this in comparison to democracies. In distinguishing pure democracies from republics, Madison emphasizes “two great points of difference...first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and the greater sphere of country, over which the latter may be extended.” The first crucial

advantage of a republican form of government, then, is “to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice, will be least likely to sacrifice it to temporary or partial considerations” (No. 10, 46-7). It is clear, then, that the success of republican government in alleviating the effects of factions requires the election of individuals who are comparatively wise, patriotic, just, farsighted, and public spirited. These are more than qualities that would be admirable adornments for public figures; these qualities are clearly deemed to be instrumental to the creation of good public policy. While there is no guarantee that such people will always be elected, just as Madison notes earlier that “enlightened statesmen will not always be at the helm” (No. 10, 45), he does argue that the constitution makes it more likely that they will be elected: “Does this advantage consist in the substitution of representatives, whose enlightened views and virtuous sentiments render them superior to local prejudices, and to schemes of injustice? It will not be denied, that the representation of the union will be most likely to possess these requisite endowments” (No 10, 48). There must always be more of these virtuous elected representatives than those “of factious tempers, of local prejudices, or of sinister designs” in our legislative branch.

So while the Constitution as a whole attempts to supply “the defect of better motives” (No. 51, 269), the Framers did not pretend to supply the defect wholly by institutional arrangements. In these provisions for the House of Representatives, it was certainly hoped that men of moderation, justice, and prudence would become lawmakers. The Framers themselves recognized the need for those “who possess the most attractive

merit, and the most diffusive and established characters” (No. 10, 47) to fill the offices of government as often as possible.

This provision for a House of Representatives being insufficient, however, to prevent either “schemes of usurpation and perfidy...ambition or corruption” or to prevent yielding “to the impulse of sudden and violent passions” of the people, the Senate was created. Since “a body which is to correct this infirmity ought itself to be free from it,” the qualifications of Senators are different. This is “explained by the nature of the senatorial trust; which, requiring greater extent of information and stability of character, requires, at the same time, that the senator should have reached a period of life most likely to supply these advantages...” (No. 62, 319). And with regard to the longer duration of the senatorial term, Madison notes that “good government implies two things: first, fidelity to the object of government, which is the happiness of the people; secondly, a knowledge of the means by which that object can be best attained.” It is with regard to knowledge in particular that Madison observes that “in the American governments, too little attention has been paid...” (No. 62, 322). That is, elections in the states are so frequent and the turnover so high, that there is not time to acquire the knowledge and expertise necessary to craft good legislation, such that it does not need to be continually explained, amended, or repealed.¹ The Senate corrects for this with longer terms, which allows senators to gather information, gain experience, and develop expertise—prerequisites for the development of prudence. So the advantages of “stability of character” are to be combined with the longer term in office so as to cultivate

¹ Madison points out that “the most deplorable effect” of frequent changes in the laws “is that diminution of attachment and reverence, which steals into the hearts of the people” (No. 62, 324). Thus it undermines both patriotism and law-abidingness, two basic qualities sought for in any decent citizenry.

statesmanlike qualities in senators. We see in this limited example how the Constitution combines certain civic virtues with institutional arrangements so as to promote good government. What of the other two branches of government?

With regard to election of a president and vice-president, Hamilton (No. 68, 354) observes, “The process of election affords a moral certainty, that the office of President will never fall to the lot of any man who is not in an eminent degree endowed with the requisite qualification. . . . It will not be too strong to say, that there will be a constant probability of seeing the station filled by characters preëminent for ability and virtue.” For similar reasons, the vice-president, too, is expected to be “an extraordinary person” (N. 68, 354). While the Electoral College is designed to identify and elect such persons, it does not create them. They must exist already, of course, if they are to fill these offices.

Finally, with regard to members of the federal judiciary, Hamilton (No. 78, 407) notes on the one hand “the folly and wickedness of mankind” that produce so many judicial proceedings and consequently so many precedents that judges must engage in “long and laborious study to acquire a competent knowledge of them. Hence, it is that there can be but few men in the society, who will have sufficient skill in the laws to qualify them for the stations of judges. And making the proper deductions for the ordinary depravity of human nature, the number must be still smaller of those who unite the requisite integrity with the requisite knowledge.” So knowledge of the law must be combined with personal integrity. The institutional arrangements, including tenure during good behavior, do not create such integrity from nothing; rather, they allow such

judges with integrity to acquire the requisite knowledge and to perform their task without being improperly influenced by the other branches of government.

So individuals with certain civic virtues are required for the American republic to function well, resulting in good government. There is no question that institutional arrangements are relied upon so as to reduce reliance upon the lack of virtuous character in elected officials and in the people themselves. To reduce such reliance, however, is not to eliminate it. As has just been shown, the authors of *The Federalist* did not understand themselves to be constructing a government that through its clever institutional arrangements could dispense with all concern for civic virtue.

To repeat, though, individuals with civic virtue must exist already in order to be elected or appointed. Where do these people come from? How do people come to have moderation, prudence, justice, and public spiritedness? Are people taught these things? Are they born with them? Are they acquired through habituation? Or do they have some more mysterious source?² *The Federalist*, of course, does not say. This is among its most puzzling features—a thoughtful discussion of human nature and its consequences for government, a recognition that good character remains essential for the American republic, but no discussion of how that character comes into being.

There appear to be three prevailing positions about the Framers' views on where the required civic virtue would come from. The first view is that they essentially neglected the issue altogether. Others (Gordon Wood, for example), argue that they

² These are questions that are central in classical political philosophy, for example, in Plato's *Meno*. Such questions are of fundamental, universal, and permanent importance. Identifying these fundamental questions—both why they are of fundamental importance and why they are questions—is not trivial. It may be the first—and central—task of political philosophy.

pushed “the question of virtue largely aside...sought to develop political arrangements and institutions that would insure ‘the existence and security of the government, even in the absence of political virtue’” (Horwitz 1986, 139). The evidence that I have just presented shows that this is not entirely correct. As noted above, the institutional arrangements are of crucial importance in reducing reliance upon “enlightened statesmen” but it does not eliminate the need for statesmanlike qualities altogether.

The second position is that the institutional arrangements themselves not only limit vices but also promote certain virtues. Robert Goldwin (1986, 33), for example, argues that “the Framers did not seek to remake Americans, but rather to take them as they are and lead them to habits of right action.” This is done by putting “separate parts of political power in the hands of different officials in different parts of the government...and encourage, if they need encouragement, ambition and self-interest.” Goldwin contends that over time the end result is that such separation of power and intentional institutional conflict “trains us in habits of restraint and moderation....” Martin Diamond (1986) elaborates this position more fully. He analyzes Madison’s treatment of the problem of faction in *Federalist* No. 10. Factions are based primarily on three different sources: opinions (especially religious and political), passions, and interests (i.e., economic interests). Since the problem of factions cannot be cured altogether, and since the most dangerous factions are those based on opinions and passions, Madison selects economic interests as relatively tranquil and seeks to magnify them. This “will divide people according to the narrow and particularized economic interests and keep them from forming factions around opinion or passion”. Hence the need for a “large modern commercial society” in order to create these “various and interfering

interests” (90-93). According to Diamond (1986, 95), “in order to defuse the dangerous factional force of opinion, passion, and class interest, Madison’s policy deliberately risks magnifying and multiplying in American life the selfish, the interested, the narrow, the vulgar, and the crassly economic.” Over time, however, Madison’s strategy has an effect on the character of citizens. It fosters certain kinds of virtue, such as bourgeois virtues (e.g., a degree of moderation and self-restraint, venturesomeness, hard work, and honesty) and republican virtues (e.g., independence, initiative, a capacity for cooperation, and patriotism). This also at least allows for higher human virtue to develop (e.g., the pursuit of knowledge through the intellectual life), even if it does not actively foster it (Diamond 1986, 99-104).

Goldwin’s and Diamond’s position is sensible and their explanation compelling. However, laws themselves do not make citizens virtuous. If the institutional arrangements are followed routinely and if acquisitiveness is effectively encouraged by the laws, they will surely have an effect on character, but voluntary obedience to the laws requires a least a degree of self-restraint and an appreciation of the goodness of justice; these are prerequisites, not only consequences. So this is not a completely sufficient account. Nor does it yet account for how the integrity, preeminent character, wisdom, and love of justice come about, which representatives, senators, presidents, and judges are to have.

The third view is that the Framers not only recognized a need for civic virtue, and expected institutional arrangements to contribute to a certain kind of civic character, but that they also recognized the need to foster this more directly. Colleen A. Sheehan (1992), for example, argues that Madison is neither a classical republican who simply

failed to incorporate the education and elevation of the citizenry into his system of government, nor is he the kind of liberal democrat that relies solely upon institutional arrangements for good government. Rather, “while the Madisonian science of politics utilizes means different from the classical science, it is nonetheless directed to the classical republican task of improving the opinions and souls of citizens and developing among them a republican character” (611). This is shown primarily in his “Notes on Government,” wherein “Madison demonstrates that education in virtue is of the utmost republican concern” (623).

Sheehan’s suggestions are based on her examination of works by Madison outside of *The Federalist*. This is sensible, for while, as James W. Ceaser (1990, 15-16) suggests, *The Federalist* does point toward a “positive idea of citizenship as necessary for liberal democracy” he reminds us,

There is a reason why *The Federalist* does not treat this question fully. *The Federalist’s* intention...was not to provide a comprehensive theoretical account of liberal democracy, but to establish the case for a *national* government in the United States. Given this objective, *The Federalist* was not obliged to treat every major question about liberal democracy, and it was especially likely to avoid certain matters that were to be dealt with chiefly by the states or local governments. The means of promoting citizenship fall mainly in this area, and they clearly involve a use of powers that opponents of the Constitution were least disposed to grant to the national government.

A great error in interpreting *The Federalist* has been to treat it as if it were meant to provide a *comprehensive* view of the respective roles of public and private spheres in a liberal democracy. To be comprehensive, it would have had to discuss the role of state and local governments, which it does not. This error of interpretation is compounded when some attempt to equate *The Federalist’s* view about the role of the national government with the role of government in general. An interpretation of this kind inevitably distorts the views of the authors of *The Federalist* about the nature of liberal democracy and how it might be maintained, especially in regard to the question of how to secure liberal democratic citizenship.

In order to examine this question, Ceaser turns to one of the most astute political theorists of liberal democracy and of the American republic, Alexis de Tocqueville. In the interest of simply clarifying how republican government in America was designed to work by those who created it, though, I propose examining Ceaser's tacit suggestion that the Framers regarded the fostering of liberal democratic civic virtue to be a responsibility undertaken at the state level.

My hypothesis is that the cultivation of civic virtue in citizens was thought by the Federalists to be a state issue, not a national one. It was already being undertaken in the states in the form of a budding public education, and the Framers assumed that this would continue—and would need to continue—for American government to function well.

Preliminary evidence to establish the plausibility of this hypothesis can be found in Thomas Jefferson's *Notes on the State of Virginia* (1954, 148). In speaking of his plan for educating “the youths of genius from among the classes of the poor” he remarks that

the people ... are the ultimate guardians of their own liberty. ... In every government on earth is some trace of human weakness, some germ of corruption and degeneracy, which cunning will discover, and wickedness insensibly open, cultivate, and improve. Every government degenerates when trusted to the rulers of the people alone. The people themselves therefore are the only safe depositories. And to render even them safe their minds must be improved to a certain degree.³

Jefferson sought to improve their minds through public education. To be guardians of their own liberty citizens would need to know how to read in order to be well informed, how to write in order to express their opinions to others, how to speak in order to persuade their fellows, and some basic mathematics in order to understand the finances of

³ A fuller account of the educational ideas of the Founders is presented in Lorraine Smith Pangle and Thomas L. Pangle's *The Learning of Liberty* (Kansas: The University of Kansas Press, 1993).

the nation. It is fitting, then, that reading, writing, and arithmetic have always been the foundation of public education. Further, these are all intellectual abilities, which reminds us that civic virtue is more than the formation of character (e.g., the self-restraint, integrity, and public spiritedness alluded to above). It must include the cultivation of the rational part of the soul as well.

A cursory overview of the history of public education in the United States reveals that it has always been charged with fostering both of these aspects of civic virtue in future citizens. Indeed, at the very “creation of the United States, following the American Revolution, every new state asserted in its constitution that public schools were essential to the republic” (Fuhrman and Lazerson 2005, xxiv). To investigate my hypothesis further, then, the first step will be to examine the thirteen pre-existing state constitutions, together with state education policies at the time that the Constitution of the United States was being written and ratified, to determine what provisions were already in place in the states to cultivate citizens fitted for the American republic. This examination will be supplemented by a review of the educational ideals of the founding generation, of those who recognized the need for the cultivation of civic virtue through public education and who were influential through their writings, such as Benjamin Franklin, John Adams, and Thomas Jefferson. The views of the founding generation on these matters must then be compared to liberal democratic theory on the moral and intellectual qualities required in citizens. This entails asking, what are the essential characteristics of this liberal democracy? At what does the regime aim? What, if anything, does it require of its citizens in order not merely to be maintained but to function well? Only after answering such questions would we be able to determine, for

example, whether the cultivation of minimally good citizens through public education ought to be primarily character education, civic education, or liberal education. This requires an examination of the original liberal political theorists such as Hobbes, Spinoza, Locke, Montesquieu, and Tocqueville. Finally, it will be necessary to consider what we are doing today to foster the civic virtue we need in our citizens. For example, does public education accomplish this goal? Is it a goal that is best accomplished through local, state, or federal policy making? How has the centralization of educational policy making at the federal level affected this role of public education? Having established that the Framers acknowledged the need for civic virtue in order for American government to function well, a systematic examination of these questions will help to provide the proper framework for evaluating current educational policy at each level of government in light of this objective.

Works Cited

- Ceaser, James W. 1990. *Liberal Democracy and Political Science*. Baltimore: Johns Hopkins University Press.
- Fuhrman, Susan and Marvin Lazerson. 2005. *The Public Schools*. New York: Oxford University Press.
- Goldwin, Robert. 1986. "Of Men and Angels: A Search for Morality in the Constitution." In *The Moral Foundations of the America Republic*, 3rd ed., ed. Robert H. Horwitz, 24-41. Charlottesville, VA: University of Virginia Press.
- Hamilton, Alexander, John Jay, and James Madison. *The Federalist*. The Gideon Edition. Edited by George W. Carey and James McClellan. Indianapolis: Liberty Fund, 2001.
- Horwitz, Robert H. 1986. "John Locke and the Preservation of Liberty." In *The Moral Foundations of the America Republic*, 3rd ed., ed. Robert H. Horwitz, 136-164. Charlottesville, VA: University of Virginia Press.
- Jefferson, Thomas. *Notes on the State of Virginia*. Edited by William Peden. New York: W.W. Norton, 1954.
- Pangle, Lorraine Smith and Thomas L. Pangle. *The Learning of Liberty*. Kansas: The University of Kansas Press, 1993.
- Sheehan, Colleen A. 1992. "The Politics of Public Opinion: James Madison's 'Notes on Government.'" *The William and Mary Quarterly*. 3rd ser., 49 (no. 4: October): 609-627.

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