

250 years since the Pennsylvania Constitution: The American Revolution and the origins of the public school

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21 September 2026

Two hundred and fifty years ago this month, on September 28, 1776, a convention meeting in Philadelphia ratified the Pennsylvania Constitution. Written in the same city and the same year as the Declaration of Independence, it took the principles of that revolutionary manifesto further than any other frame of government produced by the American Revolution.

The Pennsylvania Constitution extended the vote to every taxpaying man. It created a single-chamber legislature, so that no aristocratic upper house could check the popular will and replaced the governor with an executive council, so that power was held collectively and not by one man. It set annual elections, guaranteed freedom of conscience, the press and assembly, and separated church from state. And it was written not by the propertied gentry but by revolutionaries acting through insurgent popular committees that had swept aside the old colonial government.

Among its provisions was Section 44, the first constitutional mandate for public education in American history, which stated:

A school or schools shall be established in each county by the legislature, for the convenient instruction of youth, with such salaries to the masters paid by the public, as may enable them to instruct youth at low prices: And all useful learning shall be duly encouraged and promoted in one or more universities.

The mandate followed from the revolution's central principle. As the historian James Oakes argued in a recent *World Socialist Web Site* webinar, the Declaration of Independence established an entirely new standard: that all people possess the rational capacity to govern themselves. If sovereignty belonged to the people and not to a king, then their education became the business of the state, a precondition of self-government.

An anniversary under dictatorship, war and the gutting of public education

The 250th anniversary of Section 44 arrives amid the systematic attack on the right to education. The US ruling class, implementing a presidential dictatorship and embarking on world war, is dismantling the public school system as part of the same drive. The American oligarchy faces an insoluble crisis, burdened by a federal debt above \$40 trillion and the erosion of its position in the world economy. It means to resolve that crisis

by imperialist war abroad, repression at home and making the working class pay.

The present attack on public schools serves three connected ends: the seizure of nearly \$1 trillion a year in education spending for war and profit; the destruction of what remains of democratic control over the schools; and the imposition of thought control over students and teachers, what the Nazi regime in Germany called *Gleichschaltung*, the synchronization of education with the state.

The record is a balance sheet of demolition. The Department of Education has been gutted, and its K-12 programs shifted to the Labor Department, an act that treats children as raw material for wage labor and military conscription. In 2025 some 53,000 educators lost their jobs and more than a thousand schools were closed, most in districts run by Democrats, while Trump's national voucher scheme takes effect in January and the Pentagon budget climbs toward \$1.5 trillion.

Beside the material assault runs an ideological one. Executive Order 14190 revived Trump's 1776 Commission and defined "patriotic education" as instruction showing how the United States "has admirably grown closer to its noble principles." Texas, Louisiana, Arkansas and Alabama have passed laws requiring the Ten Commandments to be displayed in public school classrooms. In June the Texas State Board of Education made Bible stories required reading for more than 5 million students and, at the same meeting, approved a rewrite of K-8 social studies that pushes aside the study of world cultures in favor of US and Texas history and expands lessons that preach anti-communism. The public universities face the same demand for subordination to the government's "national interests."

Far from "growing closer" to the founding principles laid out in the Declaration of Independence, this is a government hell-bent on dismantling them. A ruling class that has exhausted the means of governing by consent requires subjects rather than citizens. The surest way to manufacture subjects is to close the schools, empty the curriculum and put the Bible where the history books were.

The distinction between a subject and a citizen was the hinge of the American Revolution. Gordon Wood, in *The Radicalism of the American Revolution*, describes the world it overturned. "Monarchy, as Americans later came to describe it," he writes, "implies a society of dependent beings, weak and inferior, without autonomy or independence, easily cowed by the pageantry and trappings of a patriarchal king."

Under such a system the education of the common people is of no consequence, because subjects are required to obey and not to reason. The revolution made a different kind of person. "Subjects look up to their master," in the words of revolutionary-era physician David Ramsay, "but citizens are so far equal, that none have hereditary rights superior to others. Each citizen of a free state contains within himself, by nature and

the constitution, as much of the common sovereignty as another.”

Section 44 of the Pennsylvania Constitution was where that principle first reached the schoolhouse. The framers set themselves against tyranny, corruption and the concentration of wealth in a few hands. What they could not foresee was that, a quarter millennium later, an oligarchy of wealth more formidable than the aristocracy they had overthrown would treat the destruction of public education as the precondition for restoring the unaccountable power the Revolution was fought to prevent.

How the Pennsylvania Constitution was made

The Pennsylvania Constitution was itself an act of the revolution. By June 1776 a situation of dual power existed in the colony, with two governments claiming authority in the province: the official Provincial Assembly, controlled by a Quaker and merchant establishment that had resisted independence to the last, and the committees and militia associations through which artisans, mechanics and farmers had organized their communities since the Stamp Act crisis of 1765. When the Assembly could no longer muster a quorum, the committee movement acted in its place. A Provincial Conference at Carpenters’ Hall levied troops, formed a Council of Safety, and called a constitutional convention founded, in its own words, “on the authority of the People only.” The Assembly voted itself out of existence. “The revolution is now begun,” a Philadelphia correspondent wrote that month, “and must be supported.”

The Provincial Conference abolished the property qualification and extended the vote to every taxpaying man and every militia associator, enfranchising at a stroke the two-thirds of adult men the old order had excluded. The historian J. Paul Selsam, whose 1936 study *The Pennsylvania Constitution of 1776* remains the standard account, described it as the rebellion of “the unfranchised artisans and frontiersmen who constituted two-thirds of the population” against the Quaker property owners, and did not flinch from calling the convention’s seizure of legislative, executive and judicial powers a “usurpation.” So it was: the people asserting their sovereignty against a legality that had existed to protect property and wealth in a colony that was still nominally the possession of the descendants of William Penn.

Under the rules the Conference had set, voters chose delegates to the constitutional convention on July 8, 1776, the same day the Declaration of Independence was read aloud in the State House yard. The men who spent the next 10 weeks drafting the Pennsylvania Constitution were, in the words of its contemporary critics, “plain country folks” whose “damned simplicity” threatened to turn all Pennsylvanians into “simple freemen.”

James Cannon, a Scottish-born mathematics teacher at the College of Philadelphia, was the most radical among them. On the eve of the delegate elections he issued a broadside to the militia warning that “overgrown rich men will be improper to be trusted” with the writing of a constitution, and urged them to choose delegates of “honesty, common sense, and a plain understanding.”

Other influential delegates included Timothy Matlack, a brewer and militia colonel who had engrossed the Declaration of Independence in his own hand, and Robert Whitehill, a frontier farmer from Cumberland County. The elderly Benjamin Franklin presided. Among the wealthiest of colonials but a printer by origin, Franklin had turned in the space of a few years from a loyal monarchist into a leader of the revolution’s radical faction.

Tom Paine had arrived in Philadelphia not quite two years earlier and quickly immersed himself in this radical milieu. He held no seat, but his *Common Sense*, published that January, had done more than any document to radicalize the atmosphere in which the convention met. The

pamphlet could do so because it addressed a people who could read it. On the eve of independence roughly 90 percent of men and half of women in the northern colonies were literate, remarkable figures for the 18th century. Paine’s pamphlet sold by the tens of thousands, passed hand to hand and was read aloud in taverns and militia camps. “Of more worth is one honest man to society, and in the sight of God,” Paine had written, “than all the crowned ruffians that ever lived.” These were tradesmen, teachers and farmers, not the gentry, and they were themselves the proof of what Section 44 asserted.

The revolutionary committees that produced them were, in the phrase of the historian T.H. Breen, “schools of revolution,” the bodies in which ordinary people learned to govern by governing. They drew in the young as well. Steven Mintz, in his history of American childhood *Huck’s Raft*, records that boys and girls enforced the boycott of British goods, citing one example of an 11-year-old who served the committees as a scout tracking loyalist movements. The committees demonstrated in practice, before it was set down in law, the democratic premise on which Section 44 rested.

Calls for education in the new republic

Section 44 was only the earliest of these demands. In November 1779, the revolutionary legislature gave the principle an important institutional expression. Distrusting the Loyalist sympathies of William Smith, provost of the College of Philadelphia, it revoked the college’s proprietary charter, transferred its assets to a newly established University of the State of Pennsylvania and placed the new institution under state authority. For 12 years, until the legislature united it with the restored College of Philadelphia in 1791 to create the University of Pennsylvania, it stood as the first American university created and governed by a state legislature.

In Pennsylvania, Benjamin Rush developed the educational implications of the state’s radical constitution in a more systematic and explicitly republican direction. His 1786 plan for public schools was based on the idea that the Revolution had “only finished the first act of the great drama,” with a transformation of the people’s principles and manners still to come. Noah Webster captured the contradiction of the moment in a sentence from his “On the Education of Youth in America,” published in New York in December 1787: “The constitutions are republican and the laws of education are monarchical.”

In Virginia, Thomas Jefferson, who was politically close to both Paine and Rush, introduced his Bill for the More General Diffusion of Knowledge in 1779, arguing that the surest defense against tyranny was to “illuminate, as far as practicable, the minds of the people at large.”

These were the aspirations of a bourgeois democratic revolution, genuinely progressive within the limits imposed by its time and class nature. A rising capitalism had a real interest in a literate population, but the same society rested on slavery, wage labor and private property. Reactionary elements did not intend to tax themselves to educate the children of the poor. The mandates went largely unmet. Jefferson’s bill failed repeatedly, and Virginia established no statewide system of free schools until 1870 during the Reconstruction era after the Civil War. As for Pennsylvania, its Section 44 was already diluted by the conservative constitution of 1790, which also restored the governor and upper house the radicals had abolished. In 1791 the state university was returned to private hands.

Across the republic the growth of schooling was profoundly uneven, advanced in the commercial North, stunted in the slave South, everywhere limited by property. The revolution had proclaimed universal principles it could not universally realize. Behind this was a more fundamental truth:

The democratic ideal of education was never conferred from above. It had to be won in struggle and then defended in struggle.

The struggle for public education and its meaning

That struggle produced its first organized form half a century after Section 44, in the common-school movement of the 1820s to 1840s, driven both by middle-class reformers and by the workers' movement. The Philadelphia Working Men's Party, founded in 1828 as the first labor party in the country, placed free public education at the center of its program alongside the 10-hour day.

The victory was protracted and hard fought. In 1834, Pennsylvania enacted a statewide common-school law, an important successor to the educational principle proclaimed in Section 44. The following year, propertied interests moved to repeal it. With 38 of 51 counties petitioning against the law, and the House chaplain praying that the state be saved from having property "wrested" from the wealthy "for the education of all the children," Thaddeus Stevens rose in the House and helped turn back the repeal effort. Stevens, of poor Vermont origins, would later lead the Radical Republicans in Congress and become the most uncompromising congressional champion of the freed slaves during Reconstruction.

Stevens grounded his defense of the 1834 law in the requirements of republican self-government. Education, he insisted, was not a private concern but a public obligation: Its "cultivation and diffusion is a matter of public concern, and a duty which every government owes to its people." Where people possessed "the means of knowledge" and met in common schools "on equal terms," he continued, they were "seldom in danger of having their rights invaded by their rulers." Since the permanence of republican government depended upon such knowledge, "it is the duty of government to see that the means of information be diffused to every citizen.

"This is a sufficient answer," Stevens declared, "to those who deem education a private and not a public duty—who argue that they are willing to educate their own children, but not their neighbor's children." He then carried the argument further. To deny education to the children of the poor was to punish them for "the crimes or misfortunes of their parents" and to establish "castes and grades, founded on no merit of the particular generation, but on the demerits of their ancestors; an aristocracy of the most odious and insolent kind—the aristocracy of wealth and pride."

Horace Mann of Massachusetts, the leading figure of the middle-class educational reform movement, called the common school "the great equalizer of the conditions of men." Indeed, the common school was not, as some academics and the pseudo-left maintain, simply a device of "elite control" of industrial capitalism for stamping out obedient factory hands. It carried a real democratic content inherited from the revolution and was won in large part by struggle from below against opposition from the propertied interests.

But the common school movement was also confined by the class relations out of which it grew: Protestant in its assumptions, often racially exclusive, and halting at the mine and the mill, where the children of Pennsylvania's coal districts were sent to work. Mann's "great equalizer" expressed both a genuine hope and a bourgeois illusion, the belief that schooling could reconcile rich and poor without touching property. Education can widen access to knowledge. It cannot by itself abolish inequalities rooted in the ownership of the means of production.

By 1860 the common schools were spreading throughout the North, but the South had nothing comparable. Stevens grasped that the schools could not be completed while slavery stood. The two questions would be put on history's agenda side by side in the Civil War, the Second American

Revolution.

Here our account closes, on the eve of that war. But its logic runs forward. The Freedmen's schools set up for liberated slaves and their children during Reconstruction, the abolition of child labor, the breaking down of Jim Crow segregation in schools, the defense of the separation of public education from Christian proselytization: Every later advance was won from below against the resistance of the ruling class. Every gain is now under attack.

The democratic tasks the bourgeois revolution could not complete fall now to the working class, to be carried through on a socialist basis, the right to education among them. That right cannot be defended apart from the fight against dictatorship, imperialist war and the capitalist order that produces these scourges. In 1776 the revolution was made through committees of popular mobilization, the first schools of revolution. The task today is to build their successors: rank-and-file committees in every school and workplace, linked across borders, that can finally make good on the promise written into Section 44 250 years ago.



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