

*The Northwest
Ordinance of 1787
and the Ideal of
American Higher
Education*

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I. Introduction

This essay examines two conflicting ideas. The first idea is that the purpose of American education is to promote good government and the happiness of mankind by the means of teaching religion, morality, and knowledge. At one time this idea animated all of American education and was stated in the famous Northwest Ordinance of 1787. Education was the vehicle by which the goal of good government and the happiness of mankind could be secured. Religion, morality, and knowledge were education's indispensable tools to attain that goal. Articulate and learned educators recognized, sustained and defended this goal and these tools. The centrality of religion, morality, and knowledge to American education, however, was eventually abandoned and withdrawn from the university's marketplace of ideas.¹ Now, the contemporary academic mind has been sensitized to "value diversity of ideas." But can it value ideas which it does not, or *will not* contemplate?

This essay also examines an opposing idea – that skepticism, personal experience, and socially constructed knowledge is better suited to realize the mission of a university than religion, morality, and knowledge. Now, virtually every educator assumes and acknowledges this second idea as superior to the first. Modern philosophy and science also assume the wisdom of skepticism, experience, and socially constructed knowledge. But have these assumptions been tested in the fire of academic discourse?

This essay considers these ideas and raises new questions. It begins with an examination of the historic Northwest Ordinance which unified religion, morality, and knowledge in American law. It explores the relationship between religion, morality, and knowledge, and the idea of good government and human happiness as embodied in the Declaration of Independence. The essay notes that these ideas became embedded in the university and formed the core of its mission and the very rationale for its existence. The University of Michigan is briefly considered in this light.

As the university moved into the modern period, this idea (that religion, morality, and knowledge is necessary to good government and human happiness) was slowly but surely abandoned in favor of philosophical notions of what, *if anything*, in the world is real, certain and absolute. These modern philosophic notions encouraged skepticism, relativism and an emphasis on subjective personal experience as the educational means to achieve good government and human happiness. Religion and morality became segregated, classified as matters of faith not reason, and therefore became regarded as irrelevant to modern academic inquiry.

The growth of natural science, the subsequent abandonment of its original foundations, and the substitution of evolutionary foundations in its stead is also explored as a development which altered the university's view of knowledge. Specifically, knowledge as a function of observation of a universe made by a Creator (dare we say God?) and, therefore certain and knowable, was replaced by a view of knowledge as a process of social construction by human beings. With its original foundations abandoned, the certainty of knowledge, therefore, has collapsed.

¹ See Charles M. Stanton, "Religion in American Higher Education" in *The Review of Higher Education*, 18 (Fall 1994) pp. 111-121; Kimon Sargeant, "The Religious Values of Today's Parents and Students" in *Planning For Higher Education*, 22 (Summer 1994) pp. 40-41.

The high-water mark of academic thought throughout history has been a willingness to critically examine ideas. Where is critical evaluation of skepticism, experience, and subjective knowledge? And why has an idea which once dominated the American educational landscape disappeared without a full account of its whereabouts? The essay concludes with a short critique of the faulty philosophic and scientific foundations upon which the modern university's mission is built – a naive faith in skepticism, personal experience without practical discipline, and words without reference to any certain knowledge.

II. The Unified Idea of Religion, Morality, and Knowledge

In the post-revolutionary unfolding of American institutions of higher education an idea was put forth which was widely accepted. The Continental Congress under the defunct Articles of Confederation and its successor 1789 Congress under the recently adopted Constitution of 1787, both were in one accord in legislating this idea into the fabric of post-revolutionary American society. This idea, embodied in the Northwest Ordinance affirmed that:

Religion, morality and knowledge being essential to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.²

The Ordinance was adopted, at the practical level, in order to induce sale, settlement and stable government of frontier territory that would later be transformed into the states of Michigan, Ohio, Indiana, Illinois and Wisconsin. But when these states came into existence, the Northwest Ordinance also mandated that they acknowledge "[t]he fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected; [and] to fix and establish those principles as the basis of all laws, constitutions and governments, which forever hereafter shall be formed ... and for their admission ... on equal footing with the original states."³ What were these "fundamental principles" and what relationship did they have to education?

Examination of the early drafts of the Ordinance illuminate these fundamental principles. One draft declared that "[i]nstitutions for the promotion of religion, morality, schools and the means of education shall forever be encouraged, and all persons, while young, shall be taught some useful occupation."⁴ The final language of the Ordinance was based originally on the Massachusetts Declaration of Rights. Section 3 thereof declared that

the happiness of a people and the good order and preservation of civil government essentially depends upon piety, and ... these cannot be generally diffused through a community but by the

² 1 Stat. 50, 52-53 (1789). The Ordinance was originally adopted on May 20, 1785 as An Ordinance for ascertaining the mode of disposing lands in the Western Territory, in 4 *Journals of the American Congress From 1774-1788*, (Washington, D.C., 1823) 520-22.

³ The Northwest Ordinance of 1787, art. 13 (1789). Subsequent Congressional statutes for admitting Louisiana, Mississippi, Alabama, and Tennessee into the Union refer to the Articles of the Northwest Ordinance as authoritative even though those states are clearly south of the Ohio river. The Articles declared that all such states "shall be republican, and in conformity to the principles contained in these articles," and shall stand on "equal footing" with the original states.

⁴ Jay A. Barrett, *Evolution of the Ordinance of 1787* (New York: Putnam's Sons, 1891) 64.

institution of the public worship of God, and of public instructions in piety, religion and morality"⁵

Chapter 5 of the Massachusetts Constitution entitled "Encouragement to Literature" also provided that

[w]isdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislators and magistrates in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them."⁶

It appears that the "fundamental principles" of liberty articulated in the Ordinance were grounded in piety, public worship of God, and public instruction in piety, religion, and morality. These elements were critical to the happiness of the American people and the good order and preservation of their newly created civil governments. Religion, morality, knowledge, education, good government and the happiness of mankind were constant and common themes at that time.⁷

The Northwest Ordinance also placed these ideas in a relationship. Religion, morality, and knowledge on the one hand, and education, good government and the ultimate happiness of mankind on the other hand, were juxtaposed in a rather precise way. Congress purported to state (or restate) the proposition that schools and the means of education should be encouraged as a method of teaching religion, morality, and knowledge to American students so that, and for the supreme purpose of promoting and sustaining, a good government and the happiness of mankind.⁸

III. The Unified Idea of Good Government and Happiness of Mankind

Promotion of good government and happiness of mankind were not new ideas with the Northwest Ordinance. They were not transitory or fleeting ideas. The framers of this legislation and compact did not believe that their ideas would fade away like a flower or be discarded after brief use. These ideas were part and parcel of a civilization in transition – a civilization to which its framers had a few years earlier in 1776, entrusted their lives, fortunes, and sacred honor. It was a

⁵ *Id.* at 65.

⁶ *Id.*

⁷ The notion that religion, morality and knowledge should be naturally combined in one accord was an old idea. It was certainly mirrored in a Biblical text written 1700 years earlier. For therein it is observed that the effective Christian should make every effort to "add to faith virtue; and to virtue knowledge." 2 Peter 1:5-6 (KJV). The writer also exhorts that temperance, patience, godliness, brotherly kindness and then charity be added thereunto. The parallels between these sets of triplets – of religion and faith, of morality and virtue, and obviously of knowledge and knowledge – are fairly striking.

⁸ For a basic understanding of the Northwest Ordinance and its educational dimensions, see Frederick D. Williams, ed., *The Northwest Ordinance, Essays on its Formulation, Provisions, and Legacy* (East Lansing, Michigan: Michigan State University Press, 1989) 97-117.

civilization grounded in the transcendent idea that a great civilization could be built upon the laws of nature and of nature's God.

Almost ten years earlier in 1776, the framers of the Declaration of Independence announced to the world their resolve that "the Laws of Nature and of Nature's God" would legitimate for all times and all peoples, the creation of free and independent states. They declared:

When in the Course of human Events, it becomes necessary for one People to dissolve the Political Bands which have connected them with another, and to assume among the Powers of the Earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the causes which impel them to the Separation.

Gone were appeals to the Crown or Parliament, or to England's "native Justice and Magnanimity." This was a direct appeal to God's Law.

From this idea – the laws of nature and of nature's God – would flow its deductive principles: "We hold these Truths" said the framers, "to be self-evident." The framers had grounded their civilization on the laws of nature and of nature's God. Now they were constructing its first level with a set of ideas which they held to be true and self-evident. They framed their structure with the now famous proposition that "all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness." Past were pleas for the rights of Englishman grounded in the circumstances of their "Emigration and Settlement." Now the framers asserted the unalienable rights given by "their Creator," by "divine Providence," and "the Supreme Judge of the World."⁹

And what was the civil government to do in this new civilization grounded on the laws of God and framed by self-evident truths about the equality and rights of man?¹⁰ The framers stated that "Governments are instituted among Men" in order to "secure these Rights." Moreover, a government which refused to secure these rights should be altered or abolished and a new government instituted in its place which is more likely to secure the "Safety and Happiness" of the people.

The framers of the Northwest Ordinance brought these ideas into their orbit of thinking about the content and context of schools and the means of education. They regarded these ideas as indelibly written by the Creator himself, ideas that would shape the American understanding of education, happiness and good government.¹¹

⁹ Declaration of Independence.

¹⁰ President John Quincy Adams remarked that it cannot be denied that the framers "presuppose[d] the existence of a God, the moral ruler of the universe, and a rule of right and wrong, of just and unjust, binding upon man, preceding all institutions of human society and government." John Quincy Adams, The Jubilee of the Constitution, a Discourse delivered at the request of the New York Historical Society, on Tuesday, the 30th of April, 1839, in *J. of Christian Juris.* 6 (1987).

¹¹ The decision to expressly rely upon the laws of nature and of nature's God was not a superficial one, but ably debated for many years before and after the Declaration was drafted. For reference to the framer's discussion pertaining to reliance on the idea of the laws of nature, see *The Works of John Adams, Delegates*

IV. Consecration of the Unified Ideas

It should not seem strange, therefore, that the Declaration's principles proved fertile soil for the post-revolutionary unfolding of American institutions of higher education. For when Congress declared that "religion, morality and knowledge being essential to good government and the happiness of mankind, schools and the means of education shall forever be encouraged," it was building upon ideas that fashioned American civilization itself. It was building upon the idea that "faith," "virtue," and "knowledge" were properly harnessed together seventeen centuries earlier.¹² It was building upon the laws of nature and of nature's God, equality and unalienable rights, good government and the happiness of the people. The Northwest Ordinance of 1787 was perhaps *the* significant embodiment of these principles.

The Supreme Court captured a sense of the indelible nature of the Northwest Ordinance in its historical context, and virtually consecrated it when it stated:

[the fact that] this ordinance was regarded as sacred and as unchangeable as the law of the Medes and Persians, appears from its language, which declares it to be a compact between the people of the territories and the people of the States, unchangeable except by consent. Almost the first act of the first Congress, in which many of the framers of the Constitution sat, was to reenact the northwest ordinance in its entirety.¹³

in The Continental Congress of 1774 (Freeport, New York: Books for Libraries Press) 2:371-74. See also William Blackstone, *Commentaries on the Laws of England* (Oxford: Clarendon Press 1765; reprint ed., Birmingham: The Legal Classics Library, 1983) 1:39-40.

Thomas Jefferson reflecting on the Declaration of Independence, wrote in 1825 that its essential point was "not to find out new principles, or new arguments, never before thought of, not merely to say things which had never been said before; but to place before mankind the common sense of the subject." Quoting a letter to Richard Henry Lee dated May 8, 1825 in Thomas Jefferson, *Thomas Jefferson's Writings* (New York: The Library of America, 1984) 1501.

Former President John Quincy Adams, writing in 1839, looked back at the founding period and recognized the meaning of the Declaration's true reliance on the "Laws of Nature and of Nature's God." He observed that the American people's "charter was the Declaration of Independence. Their rights, the natural rights of mankind. Their government, such as should be instituted by the people, *under the solemn mutual pledges of perpetual union*, founded on the self-evident truths proclaimed in the Declaration." Adams, *supra* note 10 at 4 (emphasis in original).

¹² See *supra* note 7.

¹³ *De Lima v. Bidwell*, 182 U.S. 1, 48 (1901). The reference to the law of the Medes and Persian is to a law which is considered unamendable. See Daniel 6:8 (KJV). The Court added that:

The great ordinance for the government of the Northwest Territory, drawn originally by Jefferson, and somewhat modified before it passed through Congress, was in some respects a prototype of the Constitution itself. It embodied the ideal which led up to the foundation of the Constitution, based upon the political philosophy adhered to by most of the framers of the Constitution. It gave to the hardy and self-reliant pioneers in that territory political rights of self-government and secured to them the guarantees of personal freedom in accordance with the most enlightened rules of the common law.
Id.

Section 14 of the Ordinance expands upon this and further ordains and declares that the following articles shall be considered as articles of compact, between the original States and

The Ordinance's provision encouraging the means of education was but one of the "sacred" and "unchangeable" ideas which were expressed, the others of notoriety included religious liberty and a prohibition on slavery.¹⁴ Thus, when state governments were eventually formed from the territory and admitted to the Union, it was natural that their respective state constitutions should restate various terms of the Ordinance itself. Michigan elected to embody many of the terms of the Ordinance in its State Constitution when admitted in 1837, including the provision pertaining to the means of education.¹⁵

Following suit, the University of Michigan in constructing one of its earliest university buildings in Ann Arbor, chiseled the educational component of the Ordinance in its stone frieze, high above the building's portico (now Angell Hall). Ideas carved and consecrated in stone. Could its founders have meant the ideas merited such permanency? The idea that religion, morality, and knowledge lies at the core of good government and happiness, and that the aim of the University should be to encourage same, found a geographically central location, if not a permanent canon status, in the annals of the University of Michigan.¹⁶

In fact, James Burrill Angell was President of the University of Michigan from 1871 to 1909. Angell had studied and embraced moral philosophy at Brown University under then President Francis Wayland (1796-1865). But Angell went further than morality as a basis for education. He emphasized religion as well as science.¹⁷ Of particular interest to the present inquiry, however, is that "Angell liked to quote Article III of the Northwest Ordinance in support of his emphasis on both religion and morality" as the basis of higher education.¹⁸ And thus, the ideas of religion, morality, and knowledge were reaffirmed and consecrated as invaluable educational tools.

the people and States in the said territory, and forever remain unalterable, unless by common consent
....

¹⁴ The Ordinance also espoused the protection of religious liberty in Article I, contained the forerunner of the Bill of Rights in Article II, and apart from the provisions pertaining to education in Article III, mandated that the "utmost good faith" be observed towards the Indians, provided for equality of taxation and debt in Article IV, provided for admission of the territory as a State in to the Union when the free inhabitants thereof reached sixty thousand (or less under specified circumstances), and in Article VI Congress prohibited slavery and involuntary servitude in the territories.

¹⁵ For Michigan documents of admission to the United States, see June 15, 1836, c. 99, 5 Stat. 49, Jan. 26, 1837, c. 6, 5 Stat. 144. The educational provision of the Northwest Ordinance is now restated in Article VIII, section 1 of the Michigan Constitution of 1963.

¹⁶ See James Burrill Angell, *The New Era in Higher Education: A Baccalaureate Address* (Ann Arbor: University of Michigan) 1902.

¹⁷ With respect to religion, President Angell "made Christianity in the university a major cause. He spoke about it, conducted surveys on it, wrote articles and edited a book on Christianity, facilitated the growth of campus ministries, and continued through the first decade of the twentieth century to preach Christ to Michigan." George M. Marsden, *The Soul of the American University* (New York: Oxford University Press, 1994) 167.

¹⁸ *Id.* at 167-68. Marsden's Chapter 10 provides and an interesting overview of the University of Michigan under Angell's administration and his insistence on a non-sectarian religious underpinning to the university's affairs which stressed universal Christian principles rather than redemptive or theological doctrines.

V. A Philosophical Challenge to Religion, Morality, and Knowledge as the basis of Good Government and Happiness of Mankind

The history of higher education is also the history of the rejection of ideas. The ideas reflected in the Northwest Ordinance and which Michigan and President Angell emulated are now gone. Though the process of transformation was protracted, its results are clear in today's academy. For neither religion nor faith, morality nor virtue, or their accompanying view of knowledge are proclaimed from the ivory tower. Schools and the means of education are encouraged by civil government, but not for advancing faith, virtue, knowledge, religion or the morality of its students. Education shall forever be subsidized, but not as a means of good government or the happiness of mankind in the sense which the Declaration or the Northwest Ordinance envisioned.¹⁹

What ever happened to religion in the university? Whatever happened to morality and objective absolute knowledge? Ideas have consequences, but unlike a machine in motion, the end result of an idea is not always entirely foreseeable with precision. Particular ideas came forth from philosophy and challenged the preeminence of those embodied in the Declaration and Northwest Ordinance. Ideas arose from philosophy to first challenge the laws of nature and of nature's God, equality and unalienable rights, then religion and morality, and finally knowledge itself. There were warnings by post-revolutionary prophets to be cautious of "philosophers who deny the principles asserted in the Declaration as self-evident truths"²⁰ but these were ignored.

German philosopher Georg W.F. Hegel (1770-1831) moved philosophy from the idea that absolutes exist in the sense of thesis and antithesis, to the notion that absolutes are not really absolute at all, but rather a synthesis of ideas that previously existed. Hegel was a later continental contemporary of the framers of American civilization. His philosophy has been recognized as very broad in its impact:

If one understands the development of philosophy, or morals, or political thought from that day to this, one knows that Hegel and synthesis have won. In other words, Hegel has removed the straight line of previous thought, and in its place he has substituted a triangle. Instead of antithesis we have, as modern man's approach to truth, synthesis. Hegel did not put it this simply. His thinking and writing are complicated, but the conclusion is that all possible positions are relative, and leads to the concept that truth is to be sought in synthesis rather than antithesis.²¹

Without the idea of hard truth which is the same today as yesterday and tomorrow, the idea of a

¹⁹ Schools and the means of education are aided by the State of Michigan which appropriated \$1.24 billion dollars toward public university education in 1994-95 and of which \$280 million was extended to the University of Michigan. But religion, morality, and knowledge are not regarded as ideas to be encouraged by those expenditures. Nor are these monies, as immense as they are, dissipated under the premise that the aims of Michigan public universities should be to impart good government and happiness as defined by the laws of nature.

²⁰ Adams, *supra* note 10 at 17.

²¹ Francis A. Schaeffer, *The Complete Works of Francis A. Schaeffer, A Christian Worldview*, 5 vols. (Westchester, Illinois: Crossway Books, 1982) 1:14.

fixed law of nature, of universal legal equality and unalienable rights, could no longer be counted among the fixed stars of the American legal constellation. Law, equality and rights were made relative to time and experience; not God-given. Moreover, religion, morality, and knowledge would also be synthesized by Hegel's approach. Good government and happiness thus could not come from adherence to any fixed standard, but only from synthesizing the purpose of government and happiness itself. The university was influenced by this new philosophical tool and began to apply it systematically to its disciplines.

It was the father of modern existential thought, Soren Kierkegaard (1813-1855), however, that added a crucial dimension to philosophical thought. Kierkegaard put forth "the modern concept of a 'leap of faith' and the total separation of the rational and faith."²² Thus, in matters of faith, religion and morality, the use of reason plays no controlling part. Faith, religion and morality essentially became functions of *subjective personal experience*, apart from objective universal reason. And experience, being what it is, changes as perceptions and circumstances change. Reason on the other hand, could no longer maintain a unified field of knowledge because that area of life called "faith" was now placed against reason or simply beyond reason. Reason was assigned the limited task of providing rational answers in those areas of thought and inquiry capable of limited objective measurement. Thus, while reason could no longer provide answers to questions of ultimate purpose such as those associated with the "good" of good government or obtaining the happiness of mankind, it could aid in understanding limited measurable particulars.²³

The implication of these philosophic challenges for American education are straightforward. After Hegel, ideas such as religion, morality, and finally knowledge itself could no longer be considered absolute. Religion was synthesized with skepticism, morality with immorality, and eventually knowledge with collective socially constructed ignorance. After Kierkegaard, the now synthesized ideas of religion and morality (still using the corpse of the words without their original heart or soul) were further reduced and then incarcerated to the area of faith, *i.e.*, beyond reason or mere subjective speculative experience.²⁴ Religion had no choice but to gradually disappear from the university, not because of any defect within, but because of a change in philosophic outlook from without.

VI. Religion Down, Morality, and Knowledge to Go

As religion was disappearing in light of the new philosophy of synthesis and existentialism,

²² *Id.* at 1:15.

²³ A philosopher who assisted the apparent demise of absolutes as specifically tied to schools and the means of education is the American philosopher and educator John Dewey (1859-1952). Dewey acknowledged that Hegel permanently affected his thinking. In his later years Dewey rejected the traditional metaphysical view that knowing anything requires it to be understood in relation to some fixed or uniform structure or form. Reliance on nature and naturalism to provide a reliable structure or form was insufficient. Not only was knowledge uncertain in an absolute sense, but the form or structure by which knowledge came to be "known" was also uncertain, or at least varied. See Raymond D. Boisvert, *Dewey's Metaphysics* (New York: Fordham University Press, 1988) 9-10.

²⁴ In all fairness to Kierkegaard, it is doubtful that he would have gone this far, but the seed of these developments were present in his writings.

morality was able to sustain itself a little while longer. Morality took the best of what remained of religion and aligned itself with the rising wave of science. Thus, the American university could still embrace "moral science" as a temporary and interim means by which ideas that pertained to happiness and good government could remain valid academic undertakings. "Moral science" by any other name was religion stripped of its most controversial theological difficulties and sectarian conflicts. Moreover, moral science was not cut from whole cloth but sprung in large part from "Moral Philosophy" which was taught at educational institutions such as Harvard in the seventeenth-century. In its broadest sense, "moral philosophy" pertained to the study of the nature of man, his relationship to God and others and the means of his self-improvement, happiness and ultimately the attainment of virtue.²⁵

This path to self-improvement, happiness and virtue was a function of Biblical revelation and nature. Upon these two foundations the content of "moral philosophy" was initially grounded and built. Each successive academic generation retained some of the original foundation of Revelation, but to a successively lesser extent than before. After the demise of the old style religion at the hands of the new philosophy and in light of the challenge of natural science, "moral philosophy" itself was changed to fit the times. Examination of Nature (with a capital "N") as a means of knowing truth became almost exclusive. The shift in emphasis from Revelation to Nature prompted the transformation of "moral philosophy" into what would become "moral science."

The change was not merely semantical. Philosophy as a discipline, having itself abandoned absolutes, was beginning to implode upon itself as a relevant discipline of inquiry. Science as a means of absolute and certain knowledge with its foundations in nature was a more suitable platform upon which to relocate the moral dimensions of human understanding and eventually knowledge itself. Thus, moral science could and did become the capstone course of many university curriculums – albeit a temporary rest stop on its way out of the academic solar system not far behind religion.

Francis Wayland was perhaps the most distinguished writer on moral science. A prominent President of Brown University, Wayland's *The Elements of Moral Science* was first published in 1835. It immediately became a standard university textbook on the subject. His slightly revised second edition published in 1837 sold over 75,000 copies. The work went through several editions.²⁶ Wayland relied upon nature and to a lesser degree Revelation in supporting his system of knowing truth in a non-sectarian and non-denominational way. Religion was important, but it was religion used with an essentially moral meaning.

In language consonant with the Northwest Ordinance, Wayland appreciated that good government and the happiness of mankind could never be produced without exposure of the conscience to the practical influence of religion.²⁷ Wayland conceived that the university was the proper agent for this exposure to religion – a religion not of sectarian outlook, but of universal moral appeal. Thus, moral science was relied upon to address the larger issues of knowledge and imparted

²⁵ Norman Fiering, *Moral Philosophy at Seventeenth-Century Harvard* (Chapel Hill, University of North Carolina Press, 1981) 3.

²⁶ Francis Wayland, *The Elements of Moral Science*, 4th ed., (Boston: Gould, Kendall and Lincoln, 1841).

²⁷ See Francis Wayland, *The Elements of Political Economy*, 3rd ed., (Boston, Gould, Kendall and Lincoln, 1840).

a certainty to its comprehension without the dead weight of merely theological disputes. With religion no longer a contender, morality would also see its own twilight when the new philosophy of synthesis, relativism and existential assumptions penetrated and permeated the natural law foundations of natural science.

VII. A Scientific Challenge to Religion, Morality, and Knowledge as the basis of Good Government and Happiness of Mankind

Time marches on. As religion was reduced to morality, morality was abated by science. It has been observed that:

The era of moral philosophy ... believed that the traditional moral axioms, the tenets of justice, the standards of goodness, the measure of virtue could be certified by the deductions of natural reason Divine endorsement of the enterprise was always tacitly present, and it was assumed that the conclusions were those that would please God. As in the preceding theological era, God's will was the final source of moral truth and obligation.²⁸

The philosophical premise of science was originally grounded on the principle that God is the Creator and Preserver of the natural order. This premise is found in the writings of the father of modern physics, Sir Isaac Newton (1642-1727).²⁹ Newton's approach found a joinder "of science and religion that would replace the old scholastic union between Christian belief and pagan Aristotelian philosophy."³⁰

But Charles Darwin (1809-1882) challenged the foundations of this scientific order when *The Origin of Species and the Descent of Man* was published in 1859. The Creator, according to Darwin, was no longer necessary or even useful to the natural order; randomness was a sufficient explanation of reality.³¹ Thus, science was comprehended in terms of the material world as a random or evolving concept. It has been noted that

The era of materialistic science ... attempted to derive moral principles from the subhuman: from biology, from the demands of the unconscious, from unwitting cultural mores, from the blind forces of history, or from the marketplace.³²

In the past, educators like Francis Wayland had constantly related "political economy and moral

²⁸ Fiering, *supra* note 25 at 301-02.

²⁹ Newton understood God as the Creator and God of dominion over the heavens and earth. From these premises Newton derived particular insights about the "regularity, persistence, and mathematically describable and predictable recurrence of natural phenomena in accordance with the laws of nature established at the creation of the world by the Lord God of Dominion." In essence the metaphysics of Newton's famous *Principia*, "is absolutely pervaded by Newton's God." James E. Force and Richard H. Popkin, *Essays on the Context, Nature, and Influence of Sir Isaac Newton's Theology* (Boston: Kluwer Academic Publishers, 1990) 85 & 87.

³⁰ Frank E. Manuel, *The Religion of Isaac Newton* (Oxford: Clarendon Press, 1974) 28.

³¹ Boisvert, *supra* note 23 at 46-47.

³² Fiering, *supra* note 25 at 301-02.

philosophy to the creation order" grounded in the natural order and Revelation.³³ But half a century later, science "was proclaimed the unsurpassable judge of Scripture itself."³⁴

As a consequence of the challenge of *evolutionary science* to natural science the foundation of science was altered. Yet to be seen, however, was how this change would affect the essence of scientific knowledge, and render it impermanent, changing and constantly evolving. Thus, morality was altered to "moral science" grounded in natural science, which in turn was displaced by evolutionary science. Education still pretended that its mission was good government and human happiness, but its new tools were not designed to necessarily achieve that goal.

VIII. The Collapse of the Certainty of Knowledge

With religion and morality banished, what would become of knowledge? Was it safe from irrelevance as is still commonly believed? As a consequence of the challenge to science by evolutionary presuppositions, knowledge would suffer the same fate as religion and morality. Knowledge is no longer certain. What passes for knowledge today is more akin to the transmission of data, information or mere opinion, each valid only for the immediate moment.

The English philosopher John Locke (1632-1704) drew a sharp distinction between knowledge and opinion. Knowledge was that which was objectively certain, while opinion was everything in the nature of probable conjecture. "What I know," said Locke, "that I am certain of; and what I am certain of, that I know. What reaches to knowledge I think may be called certainty; and what comes short of certainty, I think cannot be called knowledge."³⁵ Having embraced an evolutionary view of science, scientific knowledge itself could no longer be certain. The best a university dedicated to scientific knowledge could hope to attain was a forum for "diversity of opinion," (a forum remarkably uniform, however, in its rejection of any claim of certainty).³⁶ Locke had tied knowledge to certainty. Hegel and Darwin stripped knowledge of certainty.

And once knowledge was regarded as a function of an evolutionary ethic, it retained no inner mechanism to resist the appeal of being regarded as a socially constructed undertaking. The idea that society "exists only as individuals are conscious of it" and "individual consciousness is socially determined" are key idioms of the social construction of knowledge.³⁷ These idioms have come to dominate the university's mission. They have shifted the focus from transmitting objectively knowable pre-existing absolutes, to communicating subjectively experienced and socially constructed opinions. This process has reduced knowledge and even "opinions" to simply "words"

³³ Marsden, *supra* note 17 at 120.

³⁴ Marsden, *supra* note 17 at 120.

³⁵ James Gibson, *Locke's Theory of Knowledge and its Historical Relations* (London: Cambridge University Press, 1917) 120-21.

³⁶ For example, see the Preamble to the University of Michigan's Statement of Student Rights and Responsibilities which idolizes "civility, diversity of opinion, and freedom of expression" as the "necessary foundation of a healthy learning community."

³⁷ Peter L. Berger and Thomas Luckmann, *The Social Construction of Reality: A treatise in the Sociology of Knowledge* (Garden City, New Jersey: Doubleday and Company, Anchor Books, 1966) 78.

– "words without knowledge."³⁸ The result is that nearly the whole of the academic world can have no one language or common speech. If an image would sharpen the point, it is not the tree of the knowledge of good and evil,³⁹ but rather the university as a socially constructed Tower of Babel.⁴⁰

The collapse of the certainty of knowledge was comprehensive. The term "knowledge" itself remains, but it is a cadaver into which the "weight of authority" is now and then academically breathed. The transmission of opinion and the social construction of "knowledge," has been further reduced to mere "words without knowledge" – words that are valid only for an immediate context, immediate speaker, and immediate moment. This is all which remains of the unified idea that:

Religion, morality and knowledge being essential to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.

IX. Concluding Remarks

While religion, morality, and knowledge found a canon status at the birth of America, and paper documents and stone buildings bear witness thereto, the ideas do not now shine. They are imperceptible and unapparent to the hearts and minds of the modern academic wholesalers of "words without knowledge." There are stirrings here and there, particularly calls for a return to "values," but nothing of the unified framework of ideas so familiar to those who framed the Declaration of Independence or the Northwest Ordinance has reappeared.⁴¹

³⁸ The reference here is to the question posed by God to Job after an extended debate between Job and his four friends about the meaning of life and death and why men suffer if God is all loving and powerful. God, unimpressed with the breadth of "knowledge" exhibited by Job and his friends, finally breaks into the learned and profound conversation with a question: "Who is this that darkens my counsel with words without knowledge?" Job 38:2 (NIV).

³⁹ H.J. Massingham wrote, "that all the divisions of knowledge are considered as the branches of the one tree, The Tree of Life whose roots went deep into earth and whose top was in heaven." H.J. Massingham, *The Tree of Life* (London: Chapman & Hall, 1943) quoted in Wendell Berry, *The Loss of the University in Home Economics* (San Francisco: North Point Press, 1987) 82.

After quoting this passage, Berry then observed that:

[t]his Tree, for many hundreds of years, seems to have come almost naturally to mind when we have sought to describe the form of knowledge. In Western tradition, it is at least as old as Genesis, and the form it gives us for all that we know is organic, unified, comprehensive, connective – and moral

....

[t]o know life is to know good and evil; to prepare young people for life is to prepare them to know the difference between good and evil.

Id. at 82-83.

Berry concludes by contrasting this unified perspective with the modern view, asserting that "[t]he history of modern education may be the history of the loss of this image, and of its replacement by the pattern of the industrial machine, which subsists upon division – and by industrial economics ('publish or perish'), which is meaningless apart from division."

⁴⁰ Genesis 11:1-9 (KJV).

⁴¹ For example, a recent University conference on the role of religion and ethics in transforming the University elicited several proposals for institutional reform. "Morality," however, as a topic did not even attend the conference since "ethics" is a more fashionable academic term. The conference essentially called

The idea of the laws of nature, of God-given equal and unalienable rights, of religion, morality, and knowledge as predicates of good government and the happiness of mankind were not proven false. How could they be proven false if their advocates did not believe in fixed truth? They were not proven wrong. How could they be so proven if their judges did not accept the notion of absolute right? Nor could they have been refuted as their judges did not suppose any absolute standard of proof.

The idea that religion, morality, and knowledge are predicates of good government and the happiness of mankind was instead abandoned for something new. It was withdrawn by its proponents. Philosophy has now run its course and has imploded upon itself. Evolutionary science and its methods by definition are capable of judging only the material sphere at a single instance of time. It can provide no timeless standard. How could either hope to conceptually invalidate religion, morality or universal objective knowledge?

The history of higher education reflects ideas which have been with mankind from the beginning. These ideas can and have been ignored and even pronounced dead by many who are now dead themselves. They have even been excluded from the pages of fashionable and scholarly books and journals. Religion, morality, and knowledge are essential to good government and human happiness. The same cannot be said of a naive faith in skepticism, reliance on undisciplined personal experience, and the reduction of knowledge to a set of words socially constructed without reference to any certain meaning. These modern ideas and trends are neither essential nor conducive to good government or human happiness. What is needed is to reevaluate the place and scope of religion, morality, and knowledge in the aims and curriculum of today's American university.

for the revival of religion and ethics in the academy. But this call included support for evolutionary notions of justice, the condemnation of greed (a vice asserted to have been created in the 1980's), a return to "values" and a "threshold set of ethics." This language is just sonorous political blather. Such an approach is not even nominally concerned with the ideas of the American experiment embodied in the Northwest Ordinance. See generally, U-M studies ways to instill values, Ann Arbor News, November 1, 1994, A-1 & A-18.

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