

**The Evolving Federal Role in Education**  
**An Introductory Essay**  
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*A popular government, without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy, or perhaps both. Knowledge will forever govern ignorance: And a people who mean to be their own governors must arm themselves with the power which knowledge gives.*

—James Madison  
August 4, 1822

As much as the Founders strongly believed that the survival of representative democracy would depend on an educated citizenry, they made no provision in the Constitution for any federal role in educating the people. The closest the Constitutional Convention came to delegating any educational role to the federal government was an amendment offered by James Madison (Va.) and Charles Pinckney (S.C.) to insert in the list of powers vested in Congress a power “to establish an University, in which no preferences or distinctions should be allowed on account of religion.”

Madison’s notes on the convention indicate that James Wilson (Pa.) supported the amendment but that Gouverneur Morris (Pa.) argued against it on grounds that it was “not necessary” because “the exclusive power at the Seat of Government will reach the object.” The amendment was rejected, 4 states to 7, with Connecticut divided.<sup>1</sup>

Notwithstanding Morris’s assertion of an inherent federal power to establish a national university “at the seat of government,” it was generally thought by the delegates that those powers not specifically delegated to Congress would be left to the states and the people—something explicitly enunciated in the Bill of Rights’ Tenth Amendment.<sup>2</sup>

In the epigraph to this essay, Madison is responding to a “circular” from Kentucky Lieutenant Governor William T. Barry regarding Kentucky’s new law to fund public education. Barry was apparently heading a committee in his state to determine how best the funds should be applied to the new educational system and was seeking advice and knowledge on how other states were doing it.

Madison responded by applauding “the liberal appropriations made by the legislature of Kentucky for a general system of education,” and by enclosing “extracts from the laws of Virginia on that subject,” though he added that he doubted they would give much aid “as they have yet been imperfectly carried into execution.”<sup>3</sup>

The Virginia experience to which Madison alluded is perhaps best summarized by the author of the Virginia education laws himself, Thomas Jefferson. In his autobiography Jefferson notes that in November 1776 he was appointed to a five-member committee of the state legislature to revise Virginia’s laws. The committee labored over the next three years and made its report in June 1779. The committee decided that “a systematical plan of general education should be proposed,” as Jefferson describes it in his autobiography, “and I was requested to undertake it.”<sup>4</sup>

Jefferson subsequently prepared three bills for the state law revision, proposing three distinct grades “reaching all classes.” First, “elementary schools for all children generally, rich and poor.” Second, colleges for a middle degree of instruction, and third, “an ultimate grade for teaching the sciences generally, and in their highest degree.” The elementary education bill proposed to divide every county into wards of “a proper size and population for a school in which reading, writing, and common arithmetic should be taught.” Moreover, the bill would divide the state into 24 districts, each of which would have a school for classical learning, grammar, geography, and the higher branches of numerical arithmetic.<sup>5</sup>

It was not until 1796 that all three bills were taken up by the legislature, and only the one for elementary schools was enacted. However, a provision was inserted in the bill “which completely defeated it.” The bill left it to the court of each county to determine whether it should be carried into execution. The bill provided that educational expenses should be paid in a manner proportional to everyone’s general tax rate. This would have thrown the education of the poor on the backs of the wealthy, as Jefferson explained it, and “the justices, being of the more wealthy class, were unwilling to incur that burden.” Consequently, the law was “not suffered to commence in a single county.”<sup>6</sup>

Perhaps it was this experience that caused Jefferson as president (1801 to 1809) to hint at the possibility of Federal aid to education, though in the context of the ongoing debate on the need for a constitutional amendment to permit Congress to undertake so-called “internal improvements.” In his second inaugural, Jefferson proposed that any surplus from the “revenue on the consumption of

foreign articles,” after being applied to paying “our public debts,” be divided between a “just repartition among the states, *and a corresponding amendment of the constitution...in time of peace,* to rivers, canals, roads, arts, manufactures, *education*, and other great objects within each state [emphases added].”<sup>7</sup> In modern parlance, Jefferson was proposing a combination of general revenue-sharing and block grants to the states for carrying out specified projects. He would get neither from Congress.

### **In Defense of Federal Involvement**

It was not until after the Civil War that the debate over internal improvements was finally resolved in favor of those who argued a constitutional amendment was not needed for federal authority to make internal improvements. In the interim however, more projects for rivers, roads, canals, and harbors were approved on national defense grounds. As we have seen from a previous essay in this series, the “national defense” hook was often used to involve the federal government in matters such as health (to this day, the U.S. Surgeon General is still considered a military officer). President Dwight D. Eisenhower, who was generally resistant to any expanded role for the government, had no qualms about using the defense hook when necessary. Indeed, at the height of the Cold War he used that very term in telling Secretary of Health, Education and Welfare, Marion B. Folsom that “anything you could hook on the defense situation would get by.”<sup>8</sup> Not surprisingly two of the most notable achievements of the Eisenhower Administration were popularly known as “The National Interstate and Defense Highways Act of 1956,” and “The National Defense Education Act of 1958” (which will be discussed later in this essay).

President George Washington did not use a “defense hook” in pursuing the proposal broached at the Constitutional Convention by Madison of a national university at the seat of government. Between 1790 and 1795 Washington repeatedly urged Congress to establish such a university for the promotion of science and literature, and each time Congress balked at the idea as being an inappropriate role for the national government under the Constitution. Nevertheless, a more direct defense hook prompted Congress to establish the U.S. Military Academy at West Point in 1802 during Jefferson’s presidency, and the U.S. Naval Academy at Annapolis in 1845. Moreover, to promote westward expansion, the Continental Congress provided in the Northwest Ordinance of 1785 for a section of each town in the new territory to be rented out and the income

from it to be devoted to common schooling. A companion bill in 1787 outlined the rationale for the system: “religion, morality and knowledge, being necessary for good government and the happiness of mankind, schools and the means of education shall forever be encouraged.”<sup>9</sup>

However, the system did not entail direct federal aid to education since the revenue went directly to the territorial treasury and often was invested in other improvement schemes that were unsuccessful. As a consequence, the land grants resulted in little actual aid for local education in the early 1800s, and it wasn’t until the second half of the century that Congress improved the system by cracking down on fraud and allowing for the sale rather than the rental of the land. However, in 1826 Congress specifically refused to extend this system of aid to education to the states. It wasn’t until the 1850s that legislation extending such assistance to the states gained majority support in Congress. The legislation, introduced by Representative Justin S. Morrill of Vermont in 1857, provided land grants to each state to provide for training in agriculture and the mechanical arts. Although the bill passed both houses of Congress, it was vetoed by President James Buchanan as an extravagant and unconstitutional encroachment on states’ rights.<sup>10</sup>

Morrill reintroduced the bill in 1862 and added military education to its list of targeted programs. This time, with Republican President Abraham Lincoln in the White House and no southern Democrats left in Congress, the measure was easily enacted into law. The Morrill Land Grant College Act, as it was called, provided 30,000 acres per senator and representative in each state (or the monetary equivalent thereof), the proceeds of which were to be invested in the technical education prescribed by the act. Some states used the funds to establish new institutions while others dedicated the funds to new programs at existing schools. An 1890 amendment to the Act provided direct annual grants for technical education at the land grant colleges.<sup>11</sup>

Congress’s continuing ambivalence about the appropriate role of the Federal government in education is perhaps best reflected in its juggling of bureaucratic organization. In 1867, President Andrew Johnson signed into law “The Department of Education Act” in response to support from the National Teachers Association and others. While opponents feared a major encroachment on state and local educational prerogatives, proponents convinced them that the new department’s mission would be modest, such as gathering statistics and promoting public awareness of the importance of education. The very next year, however, in 1868, Congress by law demoted the

department to an office within the Department of Interior, where it was renamed and remained as the Bureau of Education between 1870 to 1839. In 1839 it was moved to the Federal Security Agency (the old “defense hook” again), and later the Department of Health Education and Welfare (HEW), where it remained until its re-elevation to a free standing department in 1980 under President Jimmy Carter.<sup>12</sup>

### **Woodrow Wilson and Education**

By the beginning of the twentieth century, momentum began to build for some Federal role in promoting vocational education. Industrialists were worried about foreign competition and the ability of the U.S. to keep pace. Organized labor, originally skeptical, soon became convinced as well of the need for vocational education in elementary and secondary schools. In 1907, business, labor and other interested groups joined to establish the National Society for the Promotion of Industrial Education (NSPIE). President Theodore Roosevelt expressed full support for the group and its aims. It soon became a very effective lobbying group for vocational education legislation. In January 1914, Congress established by law a National Commission on Aid to Vocational Education that included congressional supporters of federal assistance and members of NSPIE. The Commission held hearings and issued a report and set of recommendations for Federal legislation authorizing direct aid to local school districts.<sup>13</sup>

Senator Hoke Smith (D-Ga.) and Representative Dudley Mays Hughes (D-Ga.) introduced legislation embodying the Commission’s recommendations on December 6 and 7, 1915, respectively. The bill provided for federal grants to the states (ranging from \$1 million in the first year of the program to \$6 million in the ninth year and thereafter to assist in the payment of salaries of teachers of agriculture, trade, and industrial subjects. It also provided grants to aid in training teachers of these subjects from a total of \$500,000 in the first year to \$1 million in the fourth year and thereafter. States would have to match the federal grants dollar-for-dollar and fund all other costs related to the programs.<sup>14</sup>

President Woodrow Wilson (1913-1921), himself an educator and former President of Princeton University, would help bring the recommendations to statutory fruition by tying them to the twin issues of economic revolution and war preparedness. War had broken out in Europe in 1914, and German U-Boats were increasingly threatening U.S. shipping. In his State of the Union

message delivered in person before Congress on December 7, 1915, Wilson spent a good part of his time discussing the need both for economic renewal and military preparedness given the rumblings of war from across the Atlantic. In his words:

What is more important is that the industries and resources of the country should be available and ready for mobilization. It is the more imperatively necessary, therefore, that we should promptly devise means for doing what we have not yet done: that we should give intelligent federal aid and stimulation to industrial and vocational education, as we have long done in the large field of our agricultural industry....<sup>15</sup>

The following month, in January 1916, Wilson delivered a speech in New York City before the Railway Business Association, in which he expanded on the theme of vocational education as the link between industrial and military preparedness:

America is always going to use her army in two ways. She is going to use it for the purposes of peace, and she is going to use it as a nucleus for expansion into those things which she does believe in, namely, the preparation of her citizens to take care of themselves.

And he continued:

There are two sides to the question of preparation. There is not merely the military side, there is the industrial side. And the ideal which I have in mind is this, gentlemen: We ought to have in this country a great system of industrial and vocational education under federal guidance and with federal aid, in which a very large percentage of the youth of this country will be given training in the skillful use and application of the principles of science in manufacturing and business.

Wilson said such training could be done in conjunction with training men on the use of arms, the sanitation of camps, and simple forms of military maneuver and organization that will make them immediately ready for service in the national defense. But the use of force “will only be in the background and as the last resort” while the emphasis will be on its application to the industrial and civil side of life:

So that men will think first of their families and their daily work, of their service in the economic fields of the country, of their efficiency as artisans, and only last of all of their service-ability to the nation as soldiers and men of arms. That is the ideal of America.<sup>16</sup>

In the summer of 1916, both parties endorsed Federal aid to vocational education in their

national party platforms. The Democrats' platform plank read, "We favor the development upon a systematic scale of the means...to assist laborers throughout the Nation to seek and obtain employment, and the extension of the Federal government of the same assistance and encouragement as is now given to agricultural training."<sup>17</sup> The Republican Party platform was even briefer on the subject: "We favor vocational education...."<sup>18</sup>

Given the support both by the National Association of Manufacturers and the American Federation of Labor, it is not surprising that the measure had strong bipartisan support in both houses of Congress. The Smith-Hughes bill cleared the relevant committees of the House and Senate as well as the full Senate in 1916. The House passed the measure in January of 1917, and President Wilson signed the Federal Vocational Education Act into law on February 23, 1917.

The "defense hook" would be responsible for other significant Federal education laws in the twentieth century. The Lanham Act of 1940 provided Federal assistance to local governments for construction of facilities, including schools, in areas whose populations were swollen by increased military personnel and defense workers. This was the precursor to legislation enacted between 1946 and 1950 for "emergency" school aid, and, beginning in 1950, for "impacted areas aid." The defense hook also spawned the enactment of the "Servicemen's Readjustment Act" in 1944, better known as the "GI Bill of Rights," which set up a program of educational benefits for veterans of World War II. Comparable legislation was subsequently enacted for Korean War and Cold War GIs in the 1950s and '60s. But one of the most jarring or "focusing" events of the Cold War occurred in the mid-1950s was to have an even greater impact on Federal involvement in education.<sup>19</sup>

### **The Sputnik Shock**

On October 4, 1957 the Soviet Union successfully launched Sputnik --the world's first man-made satellite to orbit the earth. The 184-pound black steel ball blasted skyward in the space shot heard round the world. It had the symbolic impact of a bullet ripping a hole in America's inflated self-confidence. The technological triumph was seen by many not only as a propaganda victory for the Soviets in their competition with America at the height of the Cold War, but as a serious threat to U.S. military supremacy. Nuclear scientist Edward Teller claimed of the launch that the U.S. had lost "a battle more important and greater than Pearl Harbor."<sup>20</sup>

It is little wonder, then, given such expert opinion, that the public reaction to the Soviet

space shot was variously described as one of panic, shock, hysteria, and fear. MIT President James R. Killian, soon to become the White House science adviser, wrote that Sputnik caused “a crisis of confidence” among the American people.<sup>21</sup>

The Sputnik shock spurred a spate of congressional hearings on the status of U.S. missile programs and the country’s military and space posture vis-a-vis the Soviets, leading to increased spending on missile development, the creation of the National Aeronautics and Space Administration (NASA), and the formation of new science and space committees in both houses of Congress. However, the Soviet bombshell also prompted a national reexamination of the American educational system, particularly its ability to train future scientists and mathematicians.

In a special message to Congress on January 28, 1958, President Eisenhower put forward a limited program of federal assistance to education that included: 10,000 scholarships a year over a four-year period to encourage gifted high school graduates to attend college; graduate fellowships in science, engineering and foreign language to train more teachers in these fields; and matching grants to the states to improve math and science teaching. Democrats in Congress responded by calling for much larger federal expenditures than the president thought prudent—40,000 scholarships a year over six years, plus a student loan fund to provide loans of up to \$1,000 a year for college students. The loan program alone would break the \$1 billion ceiling the president had set for his entire education initiative.<sup>22</sup>

The impasse between the branches over education funding coincided with a drop in public attention to the “education crisis” in early 1958 and the successful launch of Explorer II on January 31. However, the mood was punctured again by a five-part series in *Life* magazine on “The Crisis in Education” that ran in March and April. “The schools are in terrible shape,” the editors opined. “What has long been an ignored national problem, Sputnik has made a recognizable crisis.” Pointing to a lack of agreement on a national curriculum, the magazine concluded, “Most appalling, the standards of education are shockingly low.”<sup>23</sup>

The series set off a lively debate in the country in the spring of 1958. In June the Rockefeller Brothers Fund released a report which further contributed to the debate by calling for excellence in American education in all fields, not just in science and technology. The President’s Science Advisory Committee panel on education agreed on the need to use the Sputnik crisis to work for



broad reform of American schools by creating higher national standards and greater quality in education. By early July the logjam in Congress began to break as key legislators worked closely with the Department of Health, Education and Welfare (HEW) in shaping a bill that would be acceptable to the president's more limited objectives. The president gave some ground by agreeing to the loan fund he had earlier opposed, but only if the number of scholarships were reduced and the loans required "high scholastic competence and good standing." By the end of July it was clear the president had full control of the fate of education legislation. The matter was resolved in conference committee, by removing the scholarship provisions and instead setting up a \$295 million loan fund for individual loans to be granted primarily on the basis of a student's financial need. As finally passed by Congress in late August, the "National Defense Education Act" authorized an expenditure of slightly less than \$1 billion a year over a four-year period. The president signed it into law on September 2, 1958.<sup>24</sup>

### **The Push for General Aid to Education**

The modern push for Federal elementary and secondary education aid began with the 1938 report of the Advisory Committee on Education, appointed by President Franklin D. Roosevelt. The committee documented the vast disparity in educational opportunity between the states and recommended that assistance be made available to the states in line with their varying needs. A bill to implement the committee's recommendations was introduced by senators Pat Harrison (D-Miss.) And Elbert D. Thomas (D-Utah) but never came to a vote. The situation was exacerbated with U.S. entry into World War II as teachers left their jobs to work in defense industries, and the low educational standards and opportunities in many states were highlighted by large numbers of Selective Service rejections on grounds of illiteracy. This in turn gave the cause a "defense hook," as new legislation was again introduced by Senator Thomas of Utah, this time with Senator Lister Hill (D-Ga.). It was framed as a war measure, authorizing \$200 million a year until the end of the war to increase public teachers' salaries, provide for more teachers, and keep schools open for at least 160 days a year. The bill was debated for six days in the Senate until an the adoption of an amendment offered by Sen. William Langer (R-N.D.), specifying how states should spend their funds for white and Negro schools, led to an erosion of support among southern senators. Senator Robert A. Taft (R-Ohio) seized on this situation to offer a successful motion to send the bill back

to committee. No further action was taken on the subject for the duration of the war.<sup>25</sup>

However, as financial pressures began to build on state and local units of government following World War II with the influx of the baby-boom generation into the classrooms, the rigid resistance of many in Congress to any Federal role in local schools began to soften. In 1945, a bipartisan caucus for Support of Federal Aid to Education was formed by Congressmen Everett McKinley Dirksen (R-Ill.) and Jennings Randolph (D-W.Va.). Even conservative Republican Bob Taft of Ohio had a change of heart In 1946 and declared that America's schools could not provide an adequate education without federal assistance. Two years later the Senate passed a general education assistance bill sponsored by Majority Leader Taft, but the measure died in the House without further action, notwithstanding the fact that both parties' platforms had endorsed federal aid to education in 1948.<sup>26</sup>

Political scientist Richard Fenno, Jr., writing in 1961, recounts at length the tortuous and frustrating path of Federal education aid bills in the Congress since World War II: "Since 1945 alone, its committees have recorded 6.5 million words of testimony on seventy-seven different legislative proposals....The Senate has passed each bill debated in the postwar years—in 1948, 1960, and 1961," but "majorities have been extremely hard to achieve at those points in the House when they must be produced," in committee and on the floor. In the most recent past, Fenno continues, the Education and Labor Committee "has reported out a bill six times." But they were blocked by the Rules Committee in three of those instances, and twice defeated on the House floor. On the one occasion in 1960 in which the House passed a bill, it was prevented by the Rules Committee from going to conference with the Senate. Fenno concludes from this abysmal track record that, "the House has not performed conflict-resolving and consensus-resolving functions in the area of federal aid to education." And he summarizes the reason for this as, "the incredible complexity and sensitivity of the problems which comprise 'the' issue of federal aid—problems involving control of the educational system, aid to non-public (especially parochial) schools, and the survival of segregated schools." While this might lead one to think it was a next to impossible nut to crack, the fact that the Senate was able to pass general aid bills on several occasions points instead to the particular individuals and institutions of the House as being responsible.<sup>27</sup>

While the Eisenhower Administration supported general school aid throughout the 1950s,

it was never able to concoct the appropriate mix of leadership and compromise necessary for success. The forces of opposition in the House were too many and too varied. However, expectations rose when the new Kennedy Administration came to power in 1961 with its panoply of “New Frontier” programs aimed at getting the country moving again. Kennedy termed the education aid bill “probably the most important piece of domestic legislation” of 1961. In his first State of the Union Address to Congress he outlined the extent of the problem:

Our classrooms contain 2 million more children than they can properly have room for, taught by 90,000 teachers not properly qualified to teach. One third of our most promising high school graduates are financially unable to continue the development of their talents. The war babies of the 1940s are now descending in 1960 upon our colleges...and our colleges are ill-prepared. We lack the scientists, the engineers and the teachers our world obligations require.<sup>28</sup>

A month later Kennedy submitted a “Special Message to the Congress on Education,” in which he laid out the specifics of his education program, tying it to the exigencies of national greatness. “Our progress as a nation ....our requirements for world leadership, our hopes for economic growth, and the demands of citizenship itself ...all require the maximum development of every young American’s capacity.” The plan called for a three-year program of general Federal assistance to public elementary and secondary schools for classroom construction and teachers’ salaries, construction of college and university facilities, new scholarship assistance to college and university students, and modernization of vocational education.<sup>29</sup>

The biggest obstacle to success was the issue of aid to private schools. Kennedy, the first Catholic president, was careful in his education message to point out that his proposal did not provide funds for private schools, “in accordance with the prohibition of the Constitution.” But this in turn provoked a letter from the Catholic bishops opposing the bill and urging its defeat unless it included loans to private schools. However, Kennedy also opposed across-the-board loans to public and private schools on constitutional grounds. This stance threatened to turn 88 Catholic House members against the legislation, on top of existing opposition from Republicans and Southern Democrats.<sup>30</sup>

Consequently, Kennedy devised a strategy to send to Congress a National Defense Education renewal bill that included loans to private schools and grants to public schools for equipment for

teaching science, mathematics, and foreign languages. The Administration would then ask for amendments to add more fellowships plus expanding aid to include the subjects of English and physical fitness. Congress in turn would add a Title III program of loans to private schools for construction of classrooms in which science, math, foreign language, English and physical fitness were taught. This would be justified on grounds it was for special “defense” purposes as opposed to being across-the-board private school aid. The Catholic bishops then sought assurances that the NDEA bill, with the newly added private school assistance, would be brought to the floor in tandem with the public school aid bill. Catholic Rules Committee Democrats James Delaney (N.Y.) and Thomas P. O’Neill (Mass.) voted with the Republicans and two southern Democratic members to withhold reporting the NDEA bill until the public aid bill reached the committee.

Even though the Education Committee complied with this scenario, Delaney joined with the two southern Democrats, Judge Howard Smith (Va.) and William Colmer (Miss.), and all five Republicans, to table the bills. Three other Rules Committee southern Democrats, Carl Elliott of Georgia, Homer Thornberry of Texas, and James Trimble of Arkansas, were reportedly ready to vote to table the NDEA bill had it come to a separate vote. Speaker Sam Rayburn’s successful effort earlier in 1961 to expand the Rules Committee to include two Democrats more sympathetic with Kennedy’s programs was still not enough to dislodge the bills. Nor was Kennedy any more successful in the following two years of his Administration in enacting general public school aid (though other pieces of his education program were enacted in 1963).<sup>31</sup>

It would not be until the presidency of Lyndon Johnson, a former school teacher and master legislative craftsman and strategist, that the school aid cause would take on new life and finally be enacted into law in 1965 as a centerpiece of Johnson’s Great Society program. Johnson succeeded where Kennedy had failed, not by resurrecting the “defense” hook, but by tying education aid to his “anti-poverty hook.” The 1964 Civil Rights Act had removed racial discrimination in the schools as an element to be dealt with in education legislation. Title VI of the Act provided for cutting off funds for any federally assisted program that discriminated based on race. With the Civil Rights Act and much of the anti-poverty program already on the books in 1964, Johnson came before the Congress in his State of the Union message in 1965, listing as the first item on his national agenda “a program to ensure every American child the fullest development of his mind and skills.”

Specifically, Johnson proposed a new program of assistance to students from low-income families:

Every child must have the best education this Nation can provide. Thomas Jefferson said that no nation can be both ignorant and free. Today no nation can be both ignorant and great. In addition to our existing programs, I will recommend a new program for schools and students with a first years authorization of \$1,500 million. It will help at every stage along the road to learning....For the primary and secondary school years we will aid public schools serving low income families and assist students in both public and private schools.<sup>32</sup>

On January 12, Johnson followed-up his State of the Union address with a special message to Congress entitled “Toward Full Educational Opportunity” with requests for education programs totaling over \$8 billion in fiscal year 1966—twice the education budget when Johnson became president in fiscal 1964. “Now this is a large expenditure,” Johnson observed in a videotaped message released to the networks with the submission of his message to Congress, “but it is a small price to pay for preserving this nation, for saving our free enterprise system, and for developing our country’s most priceless resource, our young people.”<sup>33</sup>

Johnson may have been given to Texas-style hyperbole at times, but his rhetoric was as calculated to catch the attention of the Congress as much as it was the public. “Poverty has many roots,” Johnson said in his education message, “but the taproot is ignorance.” Johnson’s strategy to use the poverty, equal opportunity hook not only appealed to Americans’ sense of fairness and shame, but was also a clever way to avoid the religious issue that had dragged down previous efforts. By emphasizing that Federal assistance would go to school children in needy areas and not to schools, the religious issue was largely avoided while the issue of deprived children, rather than schools, was pushed to the forefront. Thus private schools were able to share in some of the federally aided services through special programs such as shared-time projects and educational television.

The idea of “compensatory education” for economically depressed students was a breakthrough concept that enabled the president to succeed where others had failed in the previous two decades. The ideas for the Administration bill came from a report by a presidential task force headed by John Gardner, then president of the Carnegie Corporation and later in the year to become Johnson’s Secretary of Health, Education and Welfare. Johnson had laid the groundwork with

various interested groups before sending his message to Congress, including the National Education Association, which previously had opposed any aid to private schools, and with Catholic and other groups.

It didn't hurt either that the 1964 elections, which Johnson won in a landslide over Republican presidential candidate Barry M. Goldwater, brought a whole raft of new Democratic members to Congress. In the House, the Democratic majority increased from 258 to 295 members, while Republican ranks shrunk from 176 to 140 members. The House moved swiftly on the Administration proposals, with the Education and Labor Committee reporting the elementary and secondary education aid bill by March 8, and the full House passing the measure on March 26, 263 to 153 (with most Republicans and southern Democrats voting against, but with Johnson's new phalanx of Goldwater-babies carrying the day). The Senate quickly followed suit by passing the bill on April 9, 73 to 18.

As cleared for the president's signature, the ESEA bill provided a total of \$1.3 billion in general aid to the nation's elementary schools for the first time ever. Most of the funds in the Act were contained in Title I which provided compensatory instruction for basic skills for children in areas of high poverty. Title II of the Act provided library books and textbooks to elementary and secondary schools and substantial aid to parochial schools. Title III provided grants for educational innovations at the local level, while Title IV established federal research and training facilities for education, and Title V was aimed at strengthening state education departments.

Johnson signed the Elementary and Secondary Education Act (ESEA) into law on April 11, 1965, in a one-room schoolhouse in Johnson City, Texas where he had been a student as a four-year old. In signing the bill, the president commented on the long fight for elementary and secondary education assistance:

For too long, political acrimony held up our progress. For too long, children suffered while jarring interests caused stalemate in the efforts to improve our schools. Since 1946 Congress has tried repeatedly, and failed repeatedly, to enact measures for elementary and secondary education.<sup>34</sup>

Johnson went on to hail the measure as "a major new commitment of the Federal Government to quality and equality in schooling," and predicted that those who supported the measure in Congress would "be remembered in history as men and women who began a new day of

greatness in American society.” He said the bill would “bridge the gap between helplessness and hope for more than 5 million educationally deprived children,” put into their hands more than 30 million new books, reduce the time lag in bringing new teaching techniques into the classrooms, strengthen the ability of state and local agencies to bear the burden and meet the challenge of better education, and “rekindle the revolution of the spirit against the tyranny of ignorance.”<sup>35</sup>

### **Conclusions**

The enactment of the Elementary and Secondary Education Act 40 years ago was not the final stage of Federal involvement in education by any means, but did mark a turning point in establishing the government as a full partner in identifying and addressing a national problem. One is left with the question of why it took Congress so long to pass something that seemed to have bipartisan consensus for 20 years before it was finally enacted. As Richard Fenno points out in his case study of the issue from 1945 to 1961, the problem was the House and not the Senate. The so-called conservative coalition of southern Democrats and Republicans still controlled that Chamber and it was not disposed to new federal involvement in what was considered a very basic responsibility of state and local governments— the education of America’s children. As Secretary of Health, Education and Welfare Abraham Ribicoff put it when the 1961 bill did not succeed: “They expected a miracle and I couldn’t produce a miracle. It was impossible to bring together a majority for a bill when most members didn’t want one.”<sup>36</sup>

Fenno has a slightly different take on the subject:

The problem is not that a majority of representatives have not wanted a federal aid measure or could not be persuaded to want one. The problem is that an overall majority—or a federal aid consensus—cannot be obtained at any one point in time for any one legislative proposal.

And Fenno continues:

...any federal aid majority must be compounded of many submajorities. Different submajorities will be needed to resolve essentially different conflicts—that is to say, conflicts on different issues, in different decision-making units, at different points in time, and in different sets of society-wide circumstances. Furthermore, each submajority must be both flexible and cohesive—flexible enough to permit agreement with other submajorities and cohesive enough to make that agreement an asset in legislative maneuver.<sup>37</sup>

Fenno's study was completed two years before Lyndon Johnson became president in 1963, and four years before ESEA was enacted. But it reads as a prescription for Johnson's successful strategy in pulling together a disparate group of submajorities, or factions, both within and outside Congress, to resolve different conflicts. Moreover, Johnson had in his favor a different set of "society-wide circumstances" in the wake of the Kennedy assassination with heightened public awareness of racial, social, and economic disparities and injustices. Fenno's conclusion, in 1961, was as contradictory yet predictive as it could be: "A new, stable House consensus remains as far from—yet as close to—realization as ever."<sup>38</sup>

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### Notes

1. "Debates in the Federal Convention of 1787 as Reported by James Madison," *Documents Illustrative of the Formation of the Union of the American States* (Washington: Government Printing Office, 1927), 725.
2. The Tenth Amendment to the Constitution reads: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."
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