

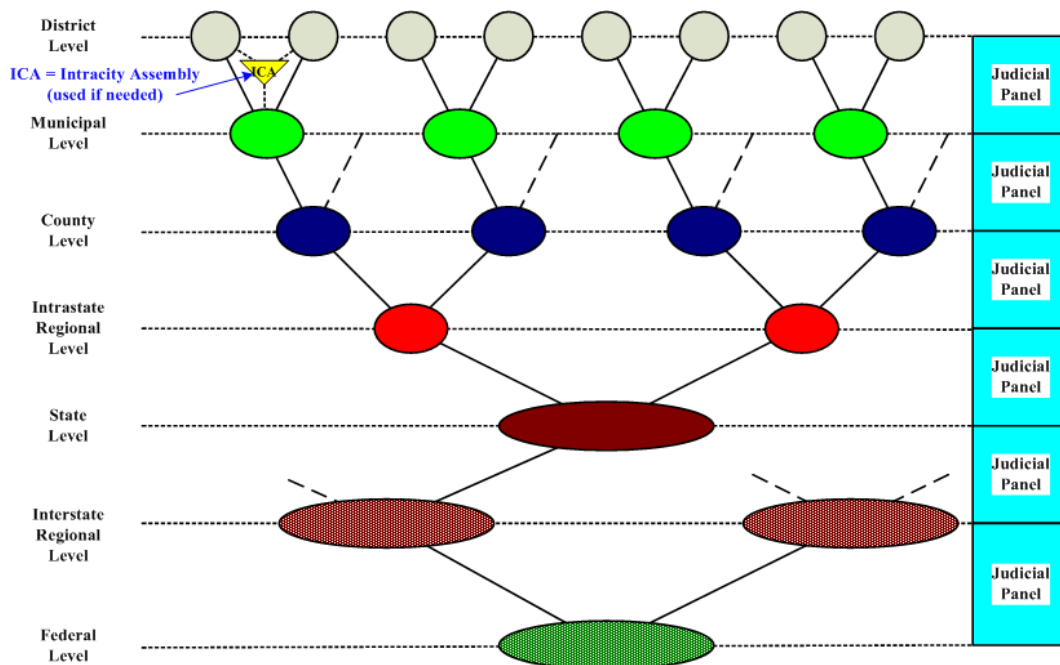
## Chapter 7 The Governing Committees Heterarchy

### § 1. The Principle of *Gemeinschaft* Federalism

This chapter discusses the remaining education committees in the inverted pyramid structure of public education governance. Figure 1 reproduces this structure for convenience. Before this discussion enters in to the details of the committees standing under the district committees, there is an important empirical principle pertaining to the makeup of committee representation I wish to emphasize because this principle goes to the heart of justice in governance by pyramid structures. This is the principle of *Gemeinschaft*-quality representation in institutions of government for civil Communities in which the population is too large for natural *Gemeinschaft* governance to be stable. I call this the principle of ***Gemeinschaft* federalism**.

*Gemeinschaft* Community is a consequence of a socially ungranulated Society wherein the citizens of the civil Community are bound together by social-chemical bonding relationships with few antibonding relationships of sufficient mutual hostility to threaten the breakdown of the civil Union. This does not mean everyone in the Community likes everyone else or that personal hostilities do not exist. It does mean that these hostilities are not so serious that citizens let them threaten the general civil Order. *Gemeinschaft* civil governance is the product of an environment in transition from what Santayana called a ***natural society*** to life in what he called a ***free society***. He explained these terms in the following ways:

Natural society unites beings in time and space; it fixes affection on those creatures on which we depend and to which our action must be adapted. Natural society begins at home and radiates over the world as more and more things become tributary to our personal being. In marriage and the family, in industry, government, and war, attention is riveted on temporal existences, on the fortunes of particular bodies, natural or corporate. There is then a primacy of nature over spirit in social life; and this primacy, in a certain sense, endures to the end since all spirit must be the spirit of something . . . Things could not be near or far, worse or better, unless a definite life were taken as a standard, a life lodged somewhere in space and time . . . [Santayana (1905), pg. 137]



**Figure 1:** The inverted pyramid structure of public education governance.

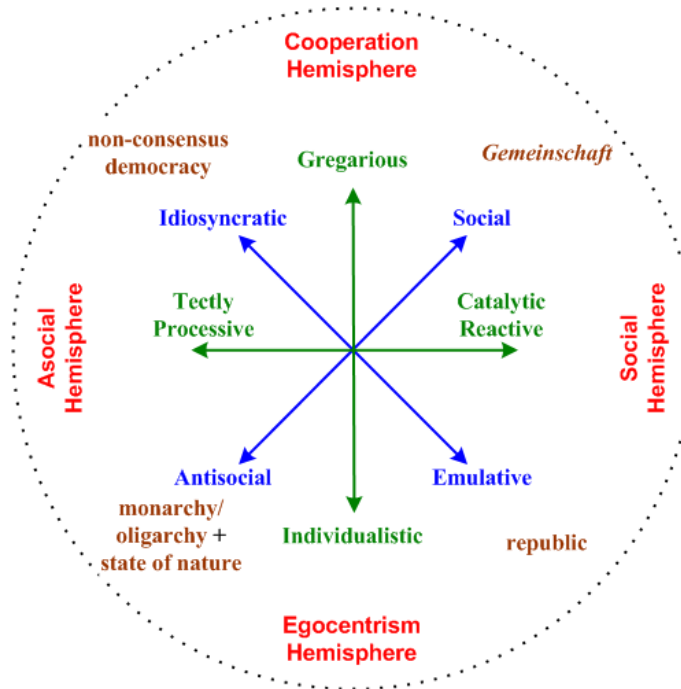
Free society differs from that which is natural and legal precisely in this, that it does not cultivate relations which in the last analysis are experienced and material, but turns exclusively to unanimities in meanings, to collaborations in an ideal world. The basis of free society is of course natural, as we said, but free society has ideal goals. Spirits cannot touch save by becoming unanimous. At the same time public opinion, reputation, and impersonal sympathy reinforce only very general feelings, and reinforce them vaguely; and as the inner play of sentiment becomes precise, it craves more specific points of support or comparison. It is only in creatures of our own species that we chiefly scent the aroma of inward sympathy, because it is they that are visibly moved on the same occasions as ourselves; and it is to those among our fellow-men who share our special haunts and habits that we feel more precise affinities. Though the ground for such feeling is animal contact and contagion, its deliverance does not revert to those natural accidents, but concerns a represented sympathy in represented souls. Friendship, springing from accidental association, terminates in a consciousness of ideal and essential agreement. [*ibid.*, pp. 146-147]

Natural society is socialization akin to the personal society each human being constructs for himself as affinities between individuals begin to merge their personal societies into a common recognition that they share a single Society. However, at this stage of socialization the notion of Society is rather vague and contingent, based far more on judgments of taste and mutual affection than upon cold logical reasonings of objective advantages or abstract purposes. Natural society, as Santayana intends for us to understand this term, is a matter more of feeling than of deliberation. As people become more cognizant of regularities in Order and moral custom, as they build up more abstract and objective concepts of the nature of their association, as they assign more abstract meanings to their relationships, it is then that Santayana's natural society evolves to become what he calls a free society. As these early generalizations continue to evolve into even more abstract and principally symbolic conceptions of civil association, a free society evolves into what he called an *ideal society*, which does not mean a Utopia but rather a Society of ideals:

The deceptions which nature practices on men are not always cruel. There are also kindly deceptions which prompt him to pursue or expect his own good when, though not destined to come in the form he looks for, this good is really destined to come in some shape or other. Such, for instance, are the illusions of romantic love, which may really terminate in a family life practically better than the absolute and chimerical unions which that love had dreamed of. . . . Such kindly illusions are involved in the symbolic method by which general relations and the inconceivably diffuse reality of things have to be apprehended. The stars are in human thought a symbol for the silent forces of destiny . . .

Ideal society belongs entirely to this realm of kindly illusion, for it is the society of symbols. Whenever religion, art, or science presents us with an image or a formula . . . there is something delusive in the representation. It needs translation into detailed experience which it sums up in our own past or prophecies elsewhere. This eventual change in form, far from nullifying our knowledge, can alone legitimize it. . . . And yet there is another aspect to the matter. Symbols are presences, and they are those particularly congenial presences which we have inwardly evoked and cast into a form intelligible and familiar to human thinking. Their function is to give flat experience a rational perspective, translating the general flux into stable objects and making it representable in human discourse. They are therefore precious, not only for their representative or practical value, implying useful adjustments to the environing world, but even more, sometimes, for their immediate or æsthetic power, for their kinship to the spirit they enlighten or exercise. [*ibid.*, pp. 195-197]

Different forms of government are set up according to associations of natural, free, or ideal societies. The simplest is founded upon judgments of taste and concrete experience, and this is the form of *Gemeinschaft* government, which prevails in natural and small free societies. As ideas



**Figure 2:** Circumplex of D-PIPOS characteristics of common forms of government.

of associated living are made increasingly symbolic and stereotyping becomes more practically necessitated by population – as they are in all large Societies – the form of governance undergoes a metamorphosis into some other form. Those most often encountered in historical experience are the monarchy/oligarchy form, non-consensus democracy (including the forms of 'democratic republics'), and republic form. *Consensus* democracy, which characterizes *Gemeinschaft* Society, is usually regarded as an impractical form when a Society becomes too large. Is this necessarily so? I argue that it is not.

All great nations united in a Union of millions of people are Santayana ideal societies. In such nations the vast majority of pairs of individuals are strangers to one another. Their personal societies never touch each other, their experiences of one another are nil, and they know each other only as stereotypes. It is only through the symbolism of ideals that a nation of strangers can become a nation of fellow countrymen. Their nationality is a common Ideal – what the German people call *Volk* – contained in individuals' diverse ideals of country. However, although these ideals share an Ideal in common, the affection of individuals for country, no matter how keenly a person might feel this affection, is an affection for an abstraction. What Santayana called the unanimity of spirit in a free society becomes fragile, if it is not altogether lost, because the Object of sympathy and affection has become an abstract and impersonal thing. We understand this, if only vaguely, when we draw a contrast between "small town America" and "big city America." The differences between individuals' ideals of country bring about differences in their practical interactions with one another and are reflected in the behavioral characteristics of the different forms of government and the way these forms seek to maintain a nation.

It is possible to place the historically frequent examples of government in a relationship to the behavioral characteristics charted in the D-PIPOS circumplex model. Figure 2 illustrates this. If we look at government using a circumplex model, we can subdivide this representation into social vs. asocial hemispheres and into egocentrism vs. cooperation hemispheres. *Gemeinschaft* forms of government tend to produce Institute behaviors quite similar to the Amiable personality style. This style is both social and cooperative, which are obviously desirable characteristics for a stable

Society characterized by civil Order in the life of its citizens. Non-consensus democracy, which is based on far more symbolic, logical, and due-process centered thinking, has many behavioral and, to a pronounced degree, impersonal characteristics of an Analytic personality style. Monarchy/oligarchy government, with its high degree of autocracy, pronounced egocentrism, and asocial habits and behaviors, is government very similar to the characteristics of a Driver personality style. The republic form of government, with its mix of social behaviors and pronounced factors of egocentrism, exhibits behaviors quite similar to the Expressive personality style.

*Gemeinschaft* governance has the desirable feature of promoting Order and stability in Society but comes at the price of severely limited or nonexistent Progress in Society. BaMbuti Society is the most stable civilization known to history – it has existed since before the time of the Egyptian pharaohs – but it is also an arrested Society that has remained unchanged for thousands of years. Social Progress is found only under the other forms of governance, but often this Progress is very unevenly beneficial to the members of the Society. The Society itself has always been unstable and eventually falls from within. This at once poses a question carrying an importance that can not be too much stressed: Is it possible for *any* form of governance to bring Order, Progress, *and* stability to a Society? Rousseau was utterly pessimistic about this:

The body politic, as well as the human body, begins to die as soon as it is born, and carries in itself the causes of its destruction. But both may have a constitution that is more or less robust and suited to preserve them a longer or a shorter time. The constitution of man is the work of nature; that of the State the work of art. It is not in men's power to prolong their own lives; but it is for them to prolong as much as possible the life of the State by giving it the best possible constitution. The best constituted State will have an end; but it will end later than any other unless some unforeseen accident brings about its untimely destruction. [Rousseau (1762), pg. 93]

The Founding Fathers of America were much more optimistic and hopeful than Rousseau, but they did clearly understand the question was unanswered in 1788. Again and again we find them referring to "the American experiment" in government. Both Adams and Jefferson, near the end of their lives, expressed surprise that after a half century the American experiment seemed to still be working. The success did not last, as attested to by the Civil War from 1861-1865. It took the factionism of political parties less than forty years of democratic-republic governance to bring about the fall of the original American Republic; it is more impressive that the new Society which arose out of the post-war Reconstruction has lasted into the 21st century.<sup>1</sup> Whether it will last until the 22nd is another matter, and it is irresponsible for us to be sanguine that it will.

The first American Republic fell because there were flaws in its institution of government that made it vulnerable to metamorphosis into a democratic republic and to the confiscation of the mechanisms of elections and lawmaking by political party factions. It is as Mill wrote:

[In] political and philosophical theories, as well as in persons, success discloses faults and infirmities which failure might have concealed from observation. The notion, that people have no need to limit their power over themselves, might seem axiomatic when popular government was a thing only dreamed about, or read of as having existed in some

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<sup>1</sup> One might ask whether or not the civil war from the 1960s to the early 1970s bespeaks of a second fall. My opinion is that it does not, largely because the general government chose to surrender its policies that had done the most to fuel the breakup. It passed civil rights legislation and pulled out of the Vietnam war. This was only a partial surrender and left untouched other deep-lying issues that had also been factors in producing the initial activism movements of the early 1960s [Hayden (1962)]. But it was enough to lead to the breakdown and disintegration of the loose coalition of activists. There is no reasonable doubt that this civil war period changed the norm of basic moral customs in American Society, once known by the name 'the American Way,' without producing a new Union of deontological moral customs to take its place.

distant period of the past. Neither was that notion necessarily disturbed by such temporary aberrations as those of the French Revolution, the worst of which were the work of a usurping few, and which, in any case, belonged, not to the permanent working of popular institutions, but to a sudden and convulsive outbreak against monarchy and aristocratic despotism. . . . The limitation, therefore, of the power of government over individuals loses none of its importance when the holders of power are regularly accountable to the community, that is, to the strongest party therein. [Mill (1859), pg. 3]

A Society which does everything possible to promote social chemical bonding relationships and everything possible to hinder the forming of antibonding relationships is a Society we can best hope will be able to actualize a combination of Order, Progress, and stability that keeps its civilization intact indefinitely. To make such a Society, it appears to be necessary to maintain a *Gemeinschaft*-like character in its Institutes despite challenges of mini-Community that only grow more severe as population increases. So far as we know from history, *Gemeinschaft* Society has always been the first form of social Union to develop as natural society evolves into free society. The phenomenon appears to imply that nucleation and initial growth of Societies requires the political alimnt of *Gemeinschaft* organization if the seed of civilization is to sprout. As a corollary to this, it likewise appears that when *Gemeinschaft* governance reaches its limitation and gives way to one or another of the historical forms of governance, this metamorphosis marks the beginning of a long process of stagnation, breakdown, and fall for that civilization. If this is true, it follows that a principal Object of organization design must be to extend the limit at which *Gemeinschaft* form becomes impractical. It is to try this experiment that the ways and means of appointing governing officials for public education I discuss next are proposed.

Regardless of what the purpose of an Institute might be, its mechanisms are worked by human beings. The success or the failure, the benefit or scourge of an Institute depends *essentially* on the character and civil virtues of those who are appointed its agents. The possibility of appointing as agents people who are, as Adams phrased it, "the men of merit" is grounded in nothing else than in personal knowledge about personalities and characters of the appointees through the immediate experiences of those who appoint them. You have seen Adams quoted on this topic already in this treatise. It is instructive to also quote from a speech Ben Franklin delivered at the Constitutional Convention on June 2, 1787. Although he was speaking directly about the office of President of the United States, his remarks are pertinent to the appointment of agent-officials in general:

Sir, there are two passions which have a powerful influence on the affairs of men. These are ambition and avarice; the love of power and the love of money. Separately, each of these has great force in prompting men to action; but when united in view of the same object, they have in many minds the most violent effects. Place before the eyes of such men a post of *honor* that shall at the same time be a post of *profit*, and they will move heaven and earth to obtain it. . . .

And of what kind are the men that will strive for this profitable preeminence, through all the bustle of cabal, the heat of contention, the infinite mutual abuse of parties, tearing to pieces the best of characters? It will not be the wise and moderate, the lovers of peace and good order, the men fittest for the trust. It will be the bold and the violent, the men of strong passions and indefatigable activity in their selfish pursuits. These will thrust themselves into your Government and be your rulers. And these too will be mistaken in the expected happiness of their situation: For their vanquished competitors of the same spirit, and from the same motives, will perpetually be endeavoring to distress their administration, thwart their measures, and render them odious to the people. . . .

To bring the matter nearer home, have we not seen the great and most important of our officers, that of General of our armies, executed for eight years together without the smallest salary by a Patriot whom I will not now offend by any other praise, and this through the fatigues and distresses in common with the other brave men his military friends

and companions, and the constant anxieties peculiar to his station? And shall we doubt finding three or four men in all the United States with public spirit enough to bear sitting in peaceful Council for perhaps an equal term, merely to preside over our civil concerns and see that our laws are duly executed? Sir, I have a better opinion of our country. I think we shall never be without a sufficient number of wise and good men to undertake and execute well and faithfully the Office in question. [Farrand (1911), vol. I, pp. 82-85]

I hope it is unnecessary to say to Americans that the Patriot Franklin was praising is George Washington, who was at that moment the presiding officer at the Constitutional Convention.

The problem and issue is always that of determining who might be the *electors* best qualified to judge the fitness of candidates for office in terms of civic character and what Franklin called their public spirit. After that, the next problem and issue is that of the *method* by which these electors can exercise their good judgment on the basis of the best available and most pertinent knowledge of experience. Adding to these is the primary requirement that those appointed, and those who select them, are both equally Self-dedicated to the preservation and protection of the power of the Sovereign of a Republic (namely the Sovereign power of its citizens).

There is a time-tested maxim, empirically successful more often than not, which holds that the best predictor of future behavior is past behavior. Every appointment of every agent is always a *de facto* prediction, *viz.*: that this individual is that person who will best fulfill the Duties and responsibilities of the office to which he is being appointed; that he possesses the *Kraft* required for the office; and that he will faithfully satisfy the Sovereign's expectation of authority vested in the office to which he is being appointed. A person of whom all three predictions are truthful is *ipso facto* a **person of merit** (see the glossary for the deontological explanation of 'merit'). I apply this maxim to the issue at hand to propose the principle of *Gemeinschaft* federalism and also the following mechanism for committee appointments in accordance with this principle.

In chapter 6 the method of choosing representatives for the district committee was appointment by the district's citizens at a District Meeting. The reason is so all persons considered for the office are citizens of that district, are known by the people in that district (because the size of the district is intentionally restricted to populations where *Gemeinschaft* social order is possible), and consequently every nominee's personal reputation is known to the electors. The appointees are not strangers to their electors and consequently the electors' judgments are less vulnerable to the deceptions of propaganda put out by factions. If there is another way to defang and declaw outlaw political parties – whose political success hinges on the election of strangers – I do not know of it.

This is *Gemeinschaft* federalism at the district level. It is also the limit of personal knowledge of the reputations of nominees, for beyond this level nominees are strangers to most citizens and the appointment process is opened to all the corruptions and deceits of faction propaganda. The great issue and question is: Can the **effect** of *Gemeinschaft* judgment be preserved in appointing agents at the other levels of the inverted pyramid? I contend that the answer is 'yes' **if and only if** those who act as electors are those who have direct *experiential* knowledge of the reputations of all the potential appointees. Otherwise,

Real merit is so remote from the knowledge of whole nations that were magistrates to be chosen by that criterion alone and by universal suffrage, dissensions and venality would be endless. . . . As no appetite in human nature is more universal than that for honor, and real merit is confined to a very few, the numbers who thirst for respect are out of all proportion to those who seek it by merit. The great majority trouble themselves little about merit, but apply themselves to seek for honor by means which they see will more easily and certainly obtain it, by displaying their taste and address, their wealth and magnificence, their ancient parchments, pictures, and statues, and the virtues of their ancestors; and if these fail, as they seldom have done, they have recourse to artifice, dissimulation, hypocrisy, flattery,

impotence, empiricism, quackery, and bribery. What chance has humble, modest, obscure, and poor merit in such a scramble? [Adams (1790), pg. 358]

The best predictor of future behavior is past behavior. Representative delegates serving on a committee – let us say for sake of specificity a district committee – will over time come to know one another from observing each other's behaviors, judgments, and acumen in the course of the normal business of the committee. They will cease to be strangers to one another and become an actual mini-Community so far as their common interests in committee matters are concerned. If we say that the 'stream of authority' in education governance 'flows *from* the district *to* the municipality *to* &etc.' then those best outfitted by experience to nominate and appoint agents to the next 'downstream' committee level *are the delegate representatives* of committees immediately antecedent to that 'downstream' committee provided that *the pool of nominees is likewise drawn from the representative delegations*. If the citizens of the districts have in fact appointed the most meritorious members of their mini-Community to the district committee, then all the potential nominees are, to at least the district level, known by their fellows to be 'people of merit.' When the collective of 'people of merit' who comprise the district committees then are tasked with choosing delegates to the municipal committee, each district committee is then effectively judging and choosing 'the more meritorious of the meritorious' from among their own number. In like fashion, as the delegates of the municipal committees are tasked with choosing delegates to the county committees, their municipal experience again outfits them to judge merit from actual and first-hand experience with the municipal committee mini-Community membership. And so it goes at each step, level-by-level, 'downstream' through the inverted pyramid of governance.

There is thereby established a chain of reputation leading back upstream to the citizenry at large, which chain provides for a positive reinforcement of the supremacy of Republican Sovereignty. It takes considerable merit to serve as the *insignificant* officer of a *powerful* office. The requirement that the deliberations of every committee be documented by its recorder and published 'upstream' in the representative structure partially negates the power of gossip and combats factious propaganda as to how representing agents of governance actually behave in the execution of their Duties. At every level there is created a small mini-Community of individuals who *must* either cooperate or fail in their Duties, and by this means a *Gemeinschaft* quality of governance can be extended 'downstream' as increasingly larger populations are covered.

At *every* level *every* district is represented, either by one of the district's own members or by someone appointed *by consensus* by an electorate directly or indirectly appointed by one of their own members. I emphasize that for this to be actual, appointments 'downstream' *must* be made by consensus, not by majority vote. The overall structure is not a *Gemeinschaft* governance – it is a Republic's governance – but is one which is set up to deliberately and actively make it possible to preserve *Gemeinschaft* advantages *in* a Republic. The system places a burden and a trust upon individual citizens in each district to choose from among themselves those people they most trust and respect to occupy the posts to which they are appointed. But to bear such a burden and such a trust is nothing more and nothing less than part of *the real price of citizenship*.

## § 2. The Municipal Committee

There are many small towns in America in which the total population of the town is less than the approximate upper limit set in chapter 6 for a district. For these places a separate municipal committee is superfluous and its single district committee is also its municipal committee.

Table I shows the makeup of a municipal education committee. The representatives represent the same stakeholders as described previously in chapter 6 for the district committee. In the case of the municipal committee, however, the representative delegations are appointed by the district committees within the municipality. Each district committee might or might not seek ratification

**Table I: The Municipal Education Committee**

Representatives	Advisors		
Districts'	County coordination Advisor	Federal Advisor	Social contract Advisor
Teachers'	Intrastate region Advisor	Academic Advisor	Mini-Communities' Advisors
Business community's	State Advisor	Higher education Advisor	Students' Advisors
Mini-Communities'	Legislative Advisor	Economic Advisor	
County's	Interstate regional Advisor	Work-study Advisor	
Taxpayers'	Legal Advisor	Curriculum Advisor	

In addition, the committee has a non-voting chairman and a recorder.

of the delegation it sends to the municipal committee from its district's citizens, as expressed in a District Meeting, according to the will of the citizens. I envision that a district's delegates would be drawn from the district committee itself, but in any case where a delegate is not a member of the district committee, permission for his appointment must be obtained from the district's citizens at a District Meeting because no representative to the municipal committee is allowed to be appointed without his appointment having been approved by a district's citizens. In every case, appointment of delegates to the municipal committee must be made by *consensus* of the representatives in the district committee. The principle of majority rule is *never* to be used to appoint representatives to any education committee. This is because election by majority rule opens a loophole for special interests to dominate representation. In particular, it produces too great a risk that some political party or other organized faction would be able to establish a petty hegemony in contradiction to the supreme sovereignty of citizens.

Large cities present a few unique challenges. For example, New York City has five boroughs, each of which by itself has such a large population that it could be called a major city in its own right. Preservation of intimate familiarity among committee members, which is essential for the maintenance of a *Gemeinschaft* character of governance at each level in figure 1, is lost when representative assemblies become too large. The result of large assemblies is almost always the establishment of a ruling hierarchy with subsequent corruption by Taylorism. This must be prevented. In order to do so, a heterarchy substructure should be established (similar in concept to the makeup of the intrastate regional structure discussed in chapter 6). This would be an instantiation of Madison's idea of "successive filtration" of delegates. The municipal committee – restricted in the size of its membership to at most on the order of twenty to twenty-five represented delegations – is the education governing body of the municipality. Between it and the district committees a mathematically appropriate inverted pyramid of Intracity Assemblies (ICAs) is established. These Assemblies serve the same purpose and role as the District Meeting serves in relationship to a district committee. The members of the first layer of these Assemblies are themselves appointed by and from their constituent district committees. Each Assembly sends a delegation to represent it to the next 'downstream' Assembly, successively winnowing down the size of the representative body until the final cohort to the municipal committee is reached. As is always the case, any body sending delegates 'downstream' in the heterarchy structure can recall any of its delegates at any time for any reason and appoint others in their place.

The municipal committee must send municipal representatives back to the divers district committees within the municipality. As it is preferable that in each case the representative be a member of the district to whose committee he is the municipality's liaison, the municipal



committee should select its representatives to the district committees using this as one of its criteria of appointment. In the case of large cities, however, it is essential that the liaison function include at least one member serving on the municipal committee in one of the delegate groups. The representative should, in every case where he is not a resident of the district, be accompanied by delegates whose group does include district residents. These delegates may be appointed from one or more sub-Assemblies with the advice and consent of that sub-Assembly.

The purpose in this is to satisfy the general principle that special interests must be represented so that policies and rules established by a governing committee can be adapted into a form *such that they do not contradict* any special interests of any certified body of stakeholders. Special interests are never to be permitted to be accorded the protection of legislation, but at the same time special interests are never to be legislated against if those interests are civic and unalienated civil liberties under the terms and conditions of the established social contract. *The governing committees must be able to legislate, but no committee can ever be permitted to rule.* To usurp or attempt to usurp power through rulership is the most pernicious deontological crime of treason against a Republic any citizen can commit<sup>2,3</sup>. The organization structure I am proposing is much more complicated than traditional historical forms, and at times will be somewhat unwieldy, but this seems to be necessary to *safeguard* special interests while *effecting* citizen sovereignty. To anyone for whom life in an American Republic is something to cherish, the inconvenience is minor in comparison to living in subjugation under the rulership of others. No one ever said an American Republic is easy to set up or to preserve, protect, and defend. Liberty is never cheaply bought and it always comes with maintenance costs that must be borne by every generation.

The concept of *representation by delegation* deserves a few remarks. The foundations of this concept are drawn from the example provided by the state delegations to the Constitutional Convention of 1787 [Farrand (1911)]. The *representation* at the Convention was a representation of the *states*. But each *state representative* was composed as a *delegation*. In effect, each delegation comprised a single corporate person, and the *representative* was this corporate person. It was a heterarchy within a heterarchy. To borrow from holarchy terminology, each delegate was a "holon." To use social-chemistry terminology, each representative is a social Molecule in which delegates are individual social atoms. A delegation might have a *spokesman*, but its representative consists of the whole of this social Molecule. The aim of this design is prevention of Taylorism.

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<sup>2</sup> There is an important distinction that must be drawn between usurpation and the expectation of authority by which a special officer is expected to exercise a *temporary* power of rulership during a time of presented emergency. For example, the President of the United States is Commander in Chief of the Armed Forces of the United States. In the event the United States or any of its citizens is attacked by any foreign power (be this another nation or a guerilla organization), the President is expected and constitutionally authorized to take any military measures necessary to protect the citizens of the United States under the Constitutional mandate 'to provide for the common defense.' He is *not* authorized to declare war or order a first strike against any nation in the absence of an official declaration of war made by Congress. This is, arguably, not as clearly set out in the Constitution as it should be, but the intent of the Constitution is clearly enough stated in *The Federalist* [Hamilton *et al.* (1787-8), no. 69, pp. 381-382] as well as in the debate at the Constitutional Convention on August 17, 1787 [Farrand (1911), vol. II, pp. 318-319]. It is hard to imagine *any* emergency circumstance under which *any* part of the governing body of a system of public education could justifiably be granted *any* emergency power of rulership.

<sup>3</sup> When the Czar of Russia was overthrown in the first Russian Revolution, the Duma (the temporary revolutionary governing body of Russia) tried to set up a system of committees to administer the country until a constitution could be made and a permanent government formed. When Lenin and the Bolsheviks overthrew the Duma in the October 1917 Revolution, they subverted these committees into a hierarchy of committees ("soviets") ruled over by the elite of the Communist Party. If there had been a social contract in place in Russia at the time (there was not; the country was in near-anarchy), this action by the Communists would have been deontological treason. As it was, in the state-of-nature that existed as Russia at that time, what occurred was the victory of one outlaw faction over the others and subsequent oligarchy rulership.

Each representative (and its delegates) in table I represents a specific corporate person, each of these corporate persons is a stakeholder in the system of public education, and each has special interests to safeguard as satisfaction of common interests is pursued through governance. It is important to understand why representation at the level of the municipal committee (as well as at the other 'downstream' levels) is not simply representation of districts. The corporate persons listed in table I are not necessarily *the same* corporate persons found in the district committee. They are corporate persons for whom municipal-level interests *are not distant*. Whether an interest is "distant" or "present" is, at root, a matter of psychology but practically it is a matter of how frequently the interest occupies decisions and motivates actions. Mill wrote,

When we talk of the interest of a body of men, or even of an individual man, as a principle determining their actions, the question of what would be considered their interest by an unprejudiced observer is one of the least important parts of the whole matter. As Coleridge observes, the man makes the motive, not the motive the man. . . . If you wish to know what is practically a man's interest, you must know the cast of his habitual feelings and thoughts. Everybody has two kinds of interests, interests which he cares for, and interests which he does not care for. Everybody has selfish and unselfish interests, and a selfish man has cultivated the habit of caring for the former and not the latter. Everyone has present and distant interests, and the improvident man is he who cares for the present interests and does not care for the distant. It matters little that on any correct calculation the latter may be the more considerable if the habits of his mind lead him to fix his thoughts and wishes solely on the former. [Mill (1861), pg. 71]

As examples: A Principal Teacher's responsibilities frequently enough require attention to be focused on matters of concern at the municipal or state levels in ways that never occur to the school's newest young teacher. Teachers whose jobs contain an expectation of authority for overseeing local district compliance with accreditation rules (of an accrediting agency with which the school district is associated) find themselves occupied with policy matters that are of more distant interest to their colleagues on the teaching staff. Taxpayers whose enterprises involve them with business tax policies have an interest in such policies that wage-earner entrepreneurs often have no present interest in. Parents whose children's higher education interests are with a trade school have different present interests in higher education than those whose children's interests are with a four year college. It over-stereotypes any corporate person to presume that within this corporate person there are no mini-Communities with differing special interests. For that reason, it may *not* be presumed that the corporate persons with legitimate special interests at one level of the structure are always going to be the *same* corporate persons as at another. Certification and chartering of corporate persons is something inherently restricted to particular levels in the structure of stakeholding in public education. A prime criterion for certifying a corporate person at any level is the ability of that corporate person to demonstrate it has legitimate *present* special interests affected directly by governance *at that level*. When this facet of the social environment is neglected, no one should be surprised to see special interest *lobbies* spring up to try to influence the governance of the system to the disbenefit of others' legitimate special interests. When one excludes legitimate special interest groups from governance, one forces them to defend their special interests by outlaw means *because* governance has neglected or broken a key part of the common social pact. Criminals are Self-made, but outlaws are partially made by moral secession caused by perpetuations of injustices by governing agencies.

These general observations and remarks apply also to *all* the committees in this heterarchy structure. I will not bring them up again as I discuss each committee except where needed to explain some particular point or principle. I ask you to presume them except as I note otherwise.

The municipal committee does not have a municipal representative. I presume the reason for this is obvious. If a committee needed one, that means its representatives were poorly chosen.

The municipal Advisors comprise a body similar to that of the experts assisting the district committee. The list removes the municipal coordination Advisor but adds students' Advisors. I presume it is clear enough why municipal coordination advice is not needed by the municipal education committee, which should be competent to coordinate itself. I will discuss the students' Advisors in a moment. For the others, while their advising tasks are similar to those already discussed for the district committee, the one thing that is significantly different is their focus on which particular interests, common and special, their advice pertains to. Each subsequent 'down-stream' step in the general organization *narrows* the scope of common interests and often will introduce special interest factors that were distant at the 'upstream' levels. Difference in *focus* makes the nature of advising differ qualitatively from one level to another. It necessitates that the Advisors' special knowledge have different particular depths of expertise than needed by other levels in the heterarchy structure. A person might be very well qualified to serve as an Advisor at the district level but poorly qualified or even unqualified to serve at some other level.

The students' Advisors positions are a new organizational factor introduced at the level of the municipal committee. At the district level, learners' interests are well represented by parents' and teachers' representatives and the sagacity of this representation by those mini-Communities is far better than that of the learners' themselves. This is because for learners at the district level, almost all educational interests are *distant* from the learners. For example, a seven-year-old is unlikely to have any objectively valid concept of why learning mathematics is in his personal best interest.

On the other hand, beginning at the municipal level it can no longer be presumed that interests are all distant for all learners. High school pupils, for example, are often already looking ahead to what they will do after they leave high school, whether they express this observably to older people or not. Even some middle school pupils can be found who are in the process of making formerly distant interests into present interests. Furthermore, at least *some* adults are found to have personal interests in acquiring additional formal education because of changing social and economic circumstances. At the municipal level it can no longer be assumed special interests held by learners and potential learners are represented by others. The students' Advisors are a municipality's scholars of social and economic factors that effect *formation of learner mini-Communities*. Part of this involves being able to advise the municipal committee on identifying – and including in the committee representation – new mini-Communities of learners. Another part of it involves recognizing and understanding emerging educational needs affecting the general welfare of the municipality. For example, if a major employer is lost, there may be urgent re-training resource needs that follow as a consequence. Students' Advisors are not there to advise students; they are there to advise the committee members *about* students.

**Table II: The County Education Committee**

Representatives		Advisors		
Municipalities'	Taxpayers'	County Advisor	Legal Advisor	Social contract Advisor
Teachers'	Students'	Intrastate region Advisor	Academic Advisor	Mini-Communities' Advisors
Business community's		State Advisor	Higher education Advisor	Students' Advisors
Mini-Communities'		Legislative Advisor	Economic Advisor	
Rural residents': a) farm owners b) farm laborers		Interstate regional Advisor	Work-study Advisor	
		Federal Advisor	Curriculum Advisor	

In addition, the committee has a non-voting chairman, appointed by and from the representatives, and a recorder.

### § 3. The County Committee

Table II lays out the membership of the county committee. Many of the representatives and Advisors for this committee are similar to those on the upstream committees with, of course, the previous note that the corporate persons represented are not necessarily the same as for the other committee levels and that corporate persons are certified on the basis that special interests at the *county* level are *present* interests to these corporate persons. People exercise their best and most keen judgment in matters pertaining to their own immediately present interests and tend to be poor judges of matters with which they have little or no direct experience and which pertain only to their distant interests. The design principle being used for all the committees in this institution proposal is to make the corporate persons represented on a committee be corporate persons for whom present interests are interests at the socio-economic-political level of the committee. The same principle is applied to the qualifications of expertise for each of the committee's Advisors.

The county committee governs public education at the level of the county's municipalities and its rural residents. Its representational membership includes municipal representatives (in place of districts' representation at the municipal level) and rural residents' representatives (who do not have direct representation in municipalities or districts because of the requirement for district residents to know one another personally). Because a county usually has fewer municipalities than a large city might have districts, it will usually be unnecessary to erect intermediate Assemblies standing between the municipalities and the county in order to regulate the membership size of the county committee in accordance with *Gemeinschaft* federalism. When exceptions do arise, these are dealt with similarly to the Assemblies pyramid discussed in the previous section. The other previous comments, including those concerning the county committee's representation to the upstream committees, likewise continue to apply.

The municipalities' representatives represent the citizens of their respective municipalities. They are appointed by the municipal committees with consensus of those committee's members again being required for their appointment. The municipal committees do *not* seek the ratification of citizens at District Meetings for these appointments. The reason for this is because at this level in the inverted pyramid the meritorious candidates for appointment as representatives cannot be known personally by all the citizens in their municipalities in every case, and because of this the appointee's qualities of merit cannot be reliably judged by the municipality bodies politic in all cases. Here *democracy* in a republic ends and *republican* mechanisms prevail.

The rural residents' representatives represent two distinct mini-Communities: a) farm owners' representative; and b) farm laborers' (wage-earners') representative. Associated with each type of representation is a distinct Rural Assembly, which I discuss in a moment. The reason for distinguishing between these two types of representatives is because the two mini-Communities (farm owners and farm laborers) have distinct corporate special interests and, historically, these special interests have often been treated in such a way as to make them be contradictory rather than contrary interests. Indeed, there is a history of perpetuated injustices in the United States that have been perpetrated precisely due to this<sup>4</sup>.

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<sup>4</sup> There is a second facet to the socio-economic environment existing in rural America that presents deeply divisive issues that cannot be resolved until ambiguities over how American Society is to regard and treat migrant farm workers are resolved. The issue is this: many migrant farm workers are not U.S. citizens and, therefore, are not afforded the protection of the American social contract. The issues involved are made all the more vexing because many migrant farm workers are not legal immigrants. Among other things, this has opened the door to human trafficking abuses in the United States that constitute deontological slavery [Kant (1784-5), pg. 1354]. That practice, at least, is not ambiguous under the U.S. Constitution: the 13th Amendment bans slavery in this country. Its *lack of enforcement* is a scandal. U.S. citizens who practice it and those who abet it, including government agents turning a blind eye to it, are deontological criminals.

That both of these classifications constitute actual mini-Communities, and therefore corporate persons, was empirically demonstrated in Wells (2013), chap. 11, pg. 407. The rural residents' representatives are selected and appointed by the county's rural residents acting through two Rural Assemblies which, jointly, cover all the rural resident citizens of the county. In overall structure each Assembly resembles the District Meeting assembly at the district level. Attendance at Assembly Meetings is mandatory and a Duty of citizenship for rural residents. In most cases this is unlikely to cause great inconvenience for rural residents because most rural areas already have divers established Institutes which specialize in rural concerns. Examples include granges, Farm Bureau meetings, and farm workers' unions. Adaptations will of course be necessary to implement these new Assemblies. My point is that rural associations are not uncommon in the United States and provide a point of nucleation for ensuring proper representation of rural residents by representatives selected from their mini-Communities and personally familiar with their special problems and issues.

The farm owners' representative represents farmers who own their farms either as a proprietorship, as a limited liability corporation (LLC) that is not a C Corporation, or as an S Corporation<sup>5</sup>. The representative does not represent, and is forbidden to represent either directly or by proxy, other types of corporate commercial entities (including 501(c) corporations)<sup>6</sup>. The reason for this is the same as the restriction on representation discussed for the district committee in chapter 6. Corporate farms – excluding S Corporations and LLCs that are not set up as C Corporations or 501(c) corporations – are not owned in actuality by real persons according to the deontological definition of ownership. A farm manager is not a farm owner (although a real farm owner might be *described* as a farm manager as part of his agribusiness activities description).

The rural farm laborer representative represents non-owner farm laborers who are citizens living in rural areas of the county and, therefore, who are not represented in a district committee. To resolve an ambiguity raised by the fact that many such people are legal residents of the United States but are not naturalized citizens, those who are legal residents of the United States are classified *for purposes of the governance of public education* as citizens because they do pay taxes, are subject to military service, are bound by the same laws as legal citizens, and their children are required by law to attend public school – in short, the only practical differences in their legal standing in this country are that they cannot vote in elections and can be deported for felonies. The general Society of the United States has the same corporate interest in the education of their children – namely the development of our future citizens – as we do for the children of our native-born and naturalized citizens<sup>7</sup>.

A new category of representative, the students' representative, is introduced at this committee level. At this regional level there are – or are likely to be – citizens at or above the legal age of

<sup>5</sup> S Corporations were defined in 1954 by subchapter S of Chapter 1, section 1372, of the Internal Revenue Code. In terms of populations, empirical evidence suggests that rural S corporations do constitute a mini-Community [Wells (2013), chap. 11, pg. 400].

<sup>6</sup> The various codes covering different types of corporations in the United States produce a very tangled set of legal definitions for a 'corporation.' The *principle* being followed in this proposal is that, no matter what legal form of corporation is being considered, the shareholders must be real people *actively engaged* in the day to day operations of the commercial entity *as if they were proprietor-owners*.

<sup>7</sup> There is a cross connection in this regard involving cases of children born in the United States to migrant farm worker parents who are themselves not legal immigrants. Under the 14th Amendment, these children are legally child-citizens of the United States and, consequently, the general Community has an equal corporate interest in *their* public education as well. In my opinion, this is a sufficient practical reason to treat their parents as citizens for purposes of the governance of public education. However, it isn't up to me to decide this and the matter must be decided by the American Sovereign *at the county level*. In most states the state government will object to counties exercising such liberty of choice, and this is a symptom of the Taylorism infecting American government and usurping the sovereignty of American citizens.

majority who are students<sup>8</sup> in either an Institute of higher education (such as a community college or a trade school), an extension education Institute, or a special Institute of education set up to deal with changing economic circumstances that effect or threaten to effect local economic dislocations to the detriment of the general welfare of the county. Public education is part of the system of government in a Republic, and government at all levels in an American Republic is Constitutionally tasked with promoting the general welfare as one of the objects of government. That is the American social contract mandate that necessitates these functions in the organization of public education. Flexibility in public education cannot be solely concerned with flexibility in the operations of already-established Institutes but must also be concerned with flexibility in the numbers and kinds of Institutes needed to meet the empirically contingent challenges confronting every Society from time to time. Hutchins made some legitimate points when he wrote,

The trials of the citizen now surpass anything that previous generations ever knew. Private and public propaganda beats upon him from morning till night all his life long. If independent judgment is the *sine qua non* of effective citizenship . . . then it must be admitted that such judgment is harder to maintain now than it ever has been before. It is too much to hope that a strong dose of education in childhood and youth can inoculate a man to withstand the onslaughts on his independent judgments that society conducts, or allows to be conducted, against him every day. For this, constant mental alertness and mental growth are required. . . . At present [education] is built upon the notion . . . that nobody is ever going to get any education after he gets out of school. Here we encounter the melancholy fact that most of the important things that human beings ought to understand cannot be comprehended in youth. [Hutchins (1952), pp. 53-54]

Adult public education is presently very poorly served, or served not at all, in the institution of public education in the United States. This is a consequence of an inadequate governance and, more specifically, broken government for public instructional education. This is why student mini-Community must have representation at the county level.

The non-voting chairman of the county committee is selected and appointed, by consensus of the representatives, from the delegations of representatives. The reason for this is the same as the reason for the appointment of municipal representatives discussed above.

Among the Advisors to the county committee is a new category of Advisor, namely the county Advisor. This position on the staff differs from the county *coordination* Advisor to a municipal committee. Although it is perhaps not well enough recognized by ordinary citizens, a county is a complex Society with a complex socio-economic environment in its own right. There are a great many factors not primarily related to education that justly call upon a share of the county's limited capital resources in competition with the just calls upon these same resources by public education operations. Conditions are therefore ripe for different special interests outside of education to be set in contradictory relationship with those of public education. It is vital for the overall good government of a county that the county education committee be aware of these factors so that the legitimate educational interests of the county are made to be understood in such a way that these interests are stood in merely contrary, and not contradictory, relationships with outside interests. The county Advisor's role is to bring through his expertise and advice knowledge of precisely this sort.

#### § 4. The Intrastate Regional Committee

Within some states, socio-economic differences between regions within the state potentially lead to special interest conflicts that necessitate governance levels between counties and the state.

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<sup>8</sup> refer to the glossary for the distinction between a *student* and a *pupil*.

**Table III: The Intrastate Regional Education Committee**

Representatives		Advisors		
Counties'	Students'	Intrastate region Advisor	Students' Advisors	Social contract Advisor
Teachers'		State Advisor	Academic Advisor	Mini-Communities' Advisors
Business community's		Federal Advisor	Higher education Advisor	
Mini-Communities'		Interstate regional Advisor	Economic Advisor	
Rural residents'		Legislative Advisor	Work-study Advisor	
Taxpayers'		Legal Advisor	Curriculum Advisor	

In addition, the committee has a non-voting chairman, appointed by and from the representatives, and a recorder.

However, even in states where no discernible regional differences granulate the overall Society of the state there is a good practical reason why an intrastate regional level of education governance, standing between the counties and the state, should be set up. The reason is that if a state has a large number of counties, and each county sent a representative delegation to the state committee, the resulting state committee would be too large for *Gemeinschaft* federalism in its operation. For example, there are no notable regional differences that granulate the state of Iowa. Indeed, the state is notable for its education achievements in comparison with other U.S. states. But Iowa has ninety-nine counties, and if each county sent a representative delegation to the state education committee, the latter would be too large an assembly to ensure *Gemeinschaft*-like governance of statewide common interests and protection of county special interests. Among other things, the feasibility of consensus democracy (which is essential to protecting the sovereignty of the citizens against the usurpations of factions and Taylorism) is lost as the membership of a governing committee becomes large. The point of breakdown is likely on the order of 15-25 representatives.

These important difficulties are overcome by setting up intrastate education committees for governing multiple-county regions within a state. You might perhaps be wondering why I place such consistently strong emphasis on *Gemeinschaft* federalism for all these committees. It is this: Individual human beings are the 'social atoms' in all social-natural phenomena. This means *homo noumenon* factors that determine human nature *must* be taken into account in every scientific social-natural institution. A human being will accept and abide by the civil conventions of a social contract *only* if it remains possible for him to satisfy his Duties-to-Self and Duties to which he obligates himself in regard to others in his *personal* society. It follows that any system for governing public education *must* be instituted with recognition of this human factor as one of its highest concerns. No other system of governance than a *Gemeinschaft* system has ever been discovered that has robustly demonstrated any ability to hold a Society together and combat the social granulation that arises when the civil convention comes into conflict with personal Duty. But history also demonstrates *Gemeinschaft* Society does not survive population growth rising above some threshold point. One recent example is provided by Kalahari Bushman Society, which is rapidly disintegrating and disappearing as an immediate result of population growth caused by neighboring Societies moving into the Kalahari [Barnard (1993)].

Most of the corporate persons' representatives and Advisors in Table III are similar to those noted earlier with, again, the provisions that these corporate persons are not necessarily the same as at upstream levels and that their defining characteristic is present special interests seen at the inter-counties level. I here discuss those corporate persons and their representation that are distinguishably different from those in earlier discussions.

The counties' representatives represent the individual counties within an intrastate region. Their role and place is analogous to the districts' representatives to the municipal committee. They are appointed by and from the divers county committees and, again, the county committees do not seek upstream ratification for the representatives' appointments for the same reason as was previously discussed.

The rural residents' representatives require some further elaboration. At first glance, it might seem that these representatives should be subsumed within the counties' representatives. Two factors make this unsound. First, agribusiness considerations often overlap county boundaries and raise special interest issues distant from the interests of individual counties. Second, farm laborers likewise are not well quantified according to county boundaries. Indeed, when there is a significant presence of migrant farm workers within a state, it is impractical to expect that county level representation could adequately represent interests arising from county-to-county factors that affect these people. Nonetheless, the two categories of corporate persons covered by the rural residents label do require certification and chartering to ensure that no special interest mini-Community is over-represented in the committee.

The committee chairman is selected by and appointed from the representative delegations to the intrastate committee. This feature of chairman appointment is followed by all the other downstream committees, and so I will not repeat this explanation for those committees yet to be discussed.

**§ 5. The State Education Committee**

Table IV lays out the structure of the state education committee. Previous general remarks apply to this committee. The different corporate persons appearing as representatives to this committee are state-level-interests corporate persons. The regions are the intrastate regional areas made up of associating counties. Representative delegates are selected by and appointed from the divers intrastate regional committees.

The state education committee has responsibility for the greatest scope of population in a state and has legislative authority governing statewide common interests. It is thus the most powerful committee for public education in a state. Its members, however, are the *least significant* in-state officials of public education because their legislative authority does not extend to special local interests upstream in the heterarchy structure. The authority of the committee in regard to special interests is restricted solely to protecting these interests at the state level in such a way that *contrary* special interests are not allowed to be made into *contradictory* special interests.

**Table IV: The State Education Committee**

Representatives	Advisors		
State regions'	County Advisor	Legal Advisor	Social contract Advisor
Teachers'	Intrastate region Advisor	Academic Advisor	Mini-Communities' Advisors
Business community's	State Advisor	Higher education Advisor	
Mini-Communities'	Legislative Advisor	Economic Advisor	
Taxpayers'	Interstate regional Advisor	Work-study Advisor	
Students'	Federal Advisor	Curriculum Advisor	

In addition, the committee has a non-voting chairman, appointed by and from the representatives, and a recorder.



Higher education at the level of four year public colleges and universities is a primary concern of the state committee. This role has been recognized as a state-level common interest since the beginning of public education in Puritan New England in the 17th century. It is of the utmost importance that governance of a state's public colleges and universities remain focused on those interests that are common statewide. For the most part, these interests are interests distant from the day to day lives of ordinary citizens. This has always presented vulnerabilities in governance because it becomes too easy for special interests to infiltrate and seize control of the governance of state education Institutes. Until well into the 19th century, the special interest groups that dominated state college education were religions organizations. In the "gilded age" of the latter half of the 19th century, commercial business special interests came to dominate the governance of higher education. There is no reason to doubt that special interest factions will always vie to control public higher education. There is no reasonable doubt that this must never be permitted.

The statewide common interests served by higher education are easy to state in general terms, often difficult to state in specific terms owing to the empirical contingencies of state-by-state socio-economic conditions. The general common interests are: providing the human foundations for justice in Society; providing the human foundations for the promotion of the state's general welfare; providing the human foundations for securing and enhancing the civil liberties of the state's citizens as each seeks to fulfill his or her Duties-to-Self; and providing the human foundations for general Progress in perfecting the state Union through the enabling power of its social contract. The Institute *itself* does not promote or secure these things; its *graduates* do.

By "the human foundations" I mean the cultivation through education of citizens who are learned in both theory and practice of those arts (including the technical and scientific arts) upon which depend: good governance; justice by means of a *just* legal system; economic prosperity through innovative entrepreneurship (upon which depends Progress in civil liberty for the pursuit of individual and collective welfare); and Progress in knowledge of natural science and its related social and physical arts (upon which depends the ability to sustain the general welfare in the face of population growth with limited natural resources). Human beings – the social atoms of every social phenomenon – determine and operate every mechanism of governance and every Institute. Empirically it seems to be true that not every human being can be equally knowledgeable in every field of knowledge nor equally skilled in all manner of skills. But every Society does need some large corps of individuals with broad commands of knowledge and broad practical skills and capabilities. Such people are those who have obtained what Hutchins called a "liberal" education. His term is objectively valid only in the connotation that by "liberal" we mean what most people call a "well rounded" education having a balanced mix of specialist skills and arts with a broad understanding of social and economic phenomena. In this connotation, something Hutchins wrote has immediate pertinence for what I am calling the human foundations of common interests:

This is what liberal education is. It is the education that prepares us to be free men. You have to have this education if you are going to be happy; for happiness consists in making the most of yourself. You have to have this education if you are going to be a member of the community; for membership in the community implies the ability to communicate with others. You have to have this education if you are going to be an effective citizen of a democracy; for citizenship requires that you understand the world in which you live and that you do not leave your duties to be performed by others, living vicariously and vacuously on their virtue and intelligence. A free society is a society composed of free men. To be free you have to be educated for freedom. This means that you have to think; for the free man is one who can think for himself. It means that you have to think, for example, about the aims of life and of organized society. . . .

Every specialist is trained in the jargon of his specialty. The tendency of specialization is that it grows narrower and narrower. The old definition of a specialist as a man who knows more and more about less and less is only too correct. . . . On matters of common interest,

like the activities of a community, the specialist is cut off from communication. More and more we hear the phrase: "That is outside my field," even though the subject is one that may mean life or death to the commonwealth . . . The Constitution of the United States does not require that all citizens shall be experts in everything. But its major premise, without which the whole democratic structure must collapse, is that the people will be informed enough, intelligent enough, and interested enough to judge the policies proposed to them by those whom they have chosen, with information, intelligence, and interest, to represent them. [Hutchins (1959), pp. v-vi]

Those who would be despots and tyrants always oppose and try to hinder liberal education in the connotation stated above because a people educated for freedom in a Society cannot easily be ruled by would-be monarchs, cabals of oligarchs, or caste-privileged democratic majorities. These are the types of rulers who oppose and will always oppose liberal public education.

The governance of public education generally, and at the state level in particular, has profound effects, for good or for ill, on Progress empowered through education. Bacon wrote,

There is another powerful and great cause of the little advancement of the sciences, which is this: it is impossible to advance properly in the course when the goal is not properly fixed. But the real and legitimate goal of the sciences is the endowment of human life with new inventions and riches. [Bacon (1620), pg. 58]

The popular myth prevalent today is that we live in an age of rapidly advancing knowledge. I have spent my adult life in the world said to be the cradle of this great advancement, and I have to tell you that I have seen no *real* evidence of any such thing for the past thirty years. We have new gadgets produced by incremental refinements of processes, and all such gadgets always appear shiny, new, and exciting to the popular eye when they first appear. But tell me: of what *real* benefit to *your own* personal Progress in fulfilling your needs and wants is a so-called "smart phone" or a car that reads your Emails to you while you drive? Do gadgets and toys enable you to better clothe your children? provide you with more discretionary time to find ways to improve your family's situation? allow you leisure time to examine the quality of your government or redress the injustices in your workplace or enrich your life and that of your community in significant rather than trivial ways? Or are they merely opiates to dull the pains of hardships?

The role of education governance in fulfilling – or frustrating – the development of the human foundations for Progress cannot be overstated. That governance, for more than a century now, has worked to retard rather than advance this development through Taylorism and its encouragements of special interest pursuits promoting neglect and stagnation of Progress in the teaching function. This type of stagnation was the prevailing norm in Bacon's day. Of it he wrote,

The great crowd of teachers know nothing of [the real and legitimate goal of science], but consist of dictatorial hirelings, unless it so happens that some artisan of an acute genius, and ambitious of fame, gives up his time to a new discovery, which is generally attended with a loss of property<sup>9</sup>. The majority, so far from proposing to themselves the augmentation of the mass of arts and sciences, make no other use of an inquiry into the mass already before them than is afforded by the conversion of some of it to some use in their lectures or to gain, or to the acquirement of, a name<sup>10</sup>, and the like<sup>11</sup>. . . . If, therefore, no

<sup>9</sup> In other words, the education system punished rather than rewarded such individuals.

<sup>10</sup> On more than one occasion, a college Dean has told me and my colleagues that he wanted us to strive to be made members of the National Academy of Engineering – in other words, to become famous and be lauded internationally as experts in our fields. Why? So the university could market itself by advertising us.

<sup>11</sup> I have no doubt Bacon intends this a personal censure of teachers, but the fact is that traditional governance of the education Institute necessitates this sort of behavior in service to one's Duties-to-Self. To use a

one has laid down the real end of sciences, we cannot wonder that there should be error in points subordinate to that end. [*ibid.*, pp. 58-59]

The very practices of Taylorism – in performance evaluations and pay administrations – actually force "the crowd of teachers" into devoting attention to research of extremely limited depth and scope at the expense of time spent teaching, advising, and mentoring students. And what does this devotion return? A pile of esoteric papers, published in archival journals or at conferences, that few ever read and fewer still find useful. If a particular journal publishes one article a year that makes any significant advancement in its technical art, it can compliment itself on a successful year. *That* is the scale of benefit achieved through Taylorite governance of higher education. It is a system *designed* to be mediocre and unprogressive. Today it works as designed – 400 years after Bacon's assessment of the institutionalized situation – to the disbenefit of us all.

As the governance of higher education is responsible for this state of affairs, so also is it the means to improve upon this state. The representatives to the state education committee, because they constitute the legislators of higher education policy, must themselves be persons of the highest merit, themselves learned and experienced in the methods and operations of the higher education function, and must possess keen practical understanding of Society's objectives that justify *public* Institutes of higher education. Above all, they must be persons whose patriotic commitment to meritorious citizenship and fidelity to the social contract is the best that can be found among us. As legislators of the most powerful education committee within the state, they are at the same time the most insignificant of the state's officers of education governance, and this requires from them a meritorious commitment to public service of the most elevated kind.

With the state committee is reached the inverted apex of education governance within a state. The proposal laid out here will undoubtedly be compared with the existing governances found in the divers states of the Union, and on such a comparison will undoubtedly seem radical at the first encounter. However, it can be equally charged – and I do so charge – that presently existing systems of governance for public education were developed *ad hoc*, not from theories of the nature of governance but according to subjective whims of what local and state officials regarded as "common sense" maxims. Put another way, the institution of public education governance in the United States has been based on tradition, mimesis, and personal tastes rather than upon objectively valid and scientific social-natural principles, and it has been made the tool of special interest groups who subvert higher education for purposes that do not serve the common interests of the body politic as a whole. This subversion is an injustice perpetrated on the citizens.

No system of governance is as easy to design in practice as most people suppose. What was unique about the Constitutional Convention of 1787 – and makes it an example to study – was that there, gathered in one body, was as august a collection of Patriot scholars of government as has ever been assembled in the history of America, and assembled at a time when political science was still a social-natural science. This *natural* science was being practiced by some of the most capable political scientists ever found in one country at one time. These men were under no illusions about the difficulty of designing a radical new form of government. Records from 1787-8 tell us that many of the social-natural considerations – especially those regarding clashes of individual and mini-Community interests – were as much considerations in Philadelphia as they are in this treatise. Consider, for example, the following remarks James Wilson made to the Pennsylvania Convention on November 24, 1787:

I confess, Sir, that the magnitude of the object before [the delegates to the Constitutional Convention] filled our minds with awe and apprehension. . . . But the magnitude of the object was equaled by the difficulty of accomplishing it when we considered the

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modern aphorism, "Tell me how I'm going to be evaluated, and I'll tell you how I'm going to behave."

uncommon dexterity and address that were necessary to combat and reconcile the jarring interests that seemed naturally to prevail in a county which, presenting a coast of 1500 miles to the Atlantic, is composed of 13 distinct and independent States, varying essentially in their situation and dimensions, and in the number and habits of their citizens – their interests, too, in some respect really different, and in many apparently so; but whether really or apparently, such is the constitution of the human mind, they make the same impression and are prosecuted with equal vigor and perseverance. . . .

There was another reason that, in this respect, increased the difficulties of the Federal Convention – the different tempers and dispositions of the people for whom they acted. But however widely they may differ upon other topics, they cordially agree in that keen and elevated sense of freedom and independence, which has been manifested in their united and successful opposition to one of the most powerful kingdoms in the world. Still, it was apprehended by some that their abhorrence of constraint would be the source of objection and opposition; but I confess that my opinion, formed upon a knowledge of the good sense as well as the high spirit of my constituents, made me confident that they would esteem that government to be the best which was best calculated eventually to establish and secure the dignity and happiness of their country. Upon this ground, I have occasionally supposed that my constituents have asked the reason of my assent to the several propositions contained in the plan before us [the proposed new Constitution]. My answer, though concise, is a candid and I think a satisfactory one – because I thought them right; and thinking them right, it would be a poor compliment indeed to presume they could be disagreeable to my constituents. [Farrand (1911), vol. III, pp. 138-139]

Wilson has been called by some "one of the most learned of the Framers." He was a Patriot, a member of the Continental Congress, a delegate to the Constitutional Convention, and one of the first Associate Justices of the new U.S. Supreme Court. If you reflect thoughtfully on Wilson's remarks, I think you will see that the difficulties he touches upon in them are the same as the issues of mini-Community that play such a large role in the design proposed in this treatise. I think, too, that with some additional thoughtful reflection you will see that these issues are, in a manner of speaking, "fractal" – that is, they are not limited to just a nation or a state but, rather, exhibit self-similarity at different levels of scale, extending in one direction to associations of individuals and in the other to associations of states and even of nations. Among the key empirical principles behind the proposal I offer here, as well as in the design of the Constitution, is this one, which was also stated by Wilson in the same speech:

Another, and perhaps the most important obstacle to the proceedings of the Federal Convention, arose in drawing the line between the national and the individual governments of the states. On this point a general principle readily occurred, that whatever object was confined in its nature and operation to a particular State ought to be subject to the separate government of the States; but whatever in its nature and operation extended beyond a particular State ought to be comprehended within the federal jurisdiction. [*ibid.*, pp. 139-140]

All that is materially different about the proposal I offer here is the extra fineness of division, which is not limited to state vs. nation but rather is applied stepwise from district to nation.

## § 6. The Interstate Regional Education Committee

Table V lays out the structure of the interstate regional education committee. Previous general remarks apply to this committee. The different corporate persons appearing among the representatives are interstate-level-interests corporate persons. The regions are associating states. Representative delegates are selected by and appointed from the divers state committees. It is a governing committee for civil associations of states sharing common but non-national interests.

**Table V: The Interstate Regional Education Committee**

Representatives	Advisors	
States'	State Advisors	Academic Advisor
Teachers'	Legal Advisor	Higher education Advisor
Business community's	Interstate regional Advisor	Economic Advisor
Mini-Communities'	Federal Advisor	Curriculum Advisor
Taxpayers'	Social contract Advisor	Mini-Communities' Advisors

In addition, the committee has a non-voting chairman, appointed by and from the representatives, and a recorder.

States or, more accurately, state education committees form the new base level for a second inverted pyramid structure. In many ways states are analogous to districts while the interstate regions are analogous to municipalities and counties. One should not draw these analogies too tightly, but the principle of heterarchical representation of local interests in the legislative process of broader regional public education is to be maintained. Again, as the scale of the population that is covered by education committees increases, the number of common interests shared among the divers regions decreases. It is essential in governance that governing bodies govern only common interests while protecting the special interests of those represented, and that the authority vested in governing bodies extend no further than this. It is also essential that a *Gemeinschaft* quality of committee interpersonal interactions be preserved in a republican pyramid.

States' representatives are likely to require somewhat larger individual delegations. Comparing tables IV and V, it will be seen that the interstate committee has representation of five corporate persons while the state committee has six. Similarly, the staff of Advisors to the interstate committee lists ten Advisors, whereas the state committee has fourteen Advisors. These differences require a brief discussion.

First, missing from the interstate committee is the corporate person of students. This is not because students' special interests are any the less important at the interstate region level. It has to do instead with the issue of whether or not students from different states do or do not actually form a mini-Community of interests. There is, quite simply, no data available upon which this determination can be made with objective validity. In any case, whether or not interstate student mini-Communities are actual likely is region dependent. As individual people, students from all parts of the United States are very much alike; but this does not mean they share associations with one another, and geographical separation does mean that students in different states are strangers to one another. Typical associational vehicles – for example, trade associations – do not generally exist at present for student bodies politic. If, however, student associations within a region should come to be formed, these associations could constitute a special interest mini-Community and thereby – through a process of certification and chartering – would obtain a right to representation in an interstate regional education committee. The purpose of the mini-Communities' representatives position in every one of the education committees is precisely to provide a place where new-formed mini-Communities gain their voices in republican governance. In the absent of a certifiable *regional* mini-Community formation, students within the states are represented by their state delegations, and providing this representation must be one of the factors determining the makeup of a state delegation.

This issue of student representation is different from what is found at the state level. For example, consider the students at public colleges and universities within a state. It is likely that students at one college are strangers to students at another. However, almost every college today has some *formal* student association that represents student issues and concerns to the college or university administration. Delegates to the student representative on the state level committee can be drawn either directly from these student associations or else be appointed as delegates by these associations. Students from diverse Institutes *must* cooperate through consensus in order to be able to represent student interests at the state committee level. Hence, students are a viable body of corporate interests to be represented in state governance of higher education. The same might also be true for interstate student associations, if there were any, but in point of fact evidence pointing to any interstate associations among students is currently lacking.

The staff of Advisors to the interstate regional committee listed in table V omits the following Advisor positions: (1) county; (2) intrastate regional; (3) legislative; and (4) work-study. I think it likely that the reason for omitting the county and intrastate regional Advisors is obvious. These levels of advice are subsumed within the states' governances of education and, therefore, the state representative is adequately able to protect special interests within its own mini-Community if the state delegation is selected appropriately. Here, too, it is important to note that any delegation for representing any of the diverse corporate committee persons has the ability to call upon any of the Advisors staffs from upstream levels to assist the delegation in any particular matter coming before any downstream committee. Indeed, this is a practical necessity for realizing coordination *between* levels of education governance (which I further discuss in § 8 of this chapter).

The reason for the absence of a legislative Advisor is, I think, equally obvious. Every state in our national Union has a state legislature, but there are no legislative bodies governing across state boundaries. There are executive branch organizations – the Western Governors' Conference is one example – but the education committees are legislative bodies, not executive ones. Advice concerning legislative factors is therefore *de facto* state-by-state. The consequence of this is that legislative advice must be brought to the interstate level through the state delegations.

The reason for the absence of a work-study Advisor to the interstate regional committee is less obvious, perhaps. Simply put, at the interstate regional level there are few viable work-study options that are not already covered at upstream levels in the pyramid. For example, many college students find it necessary to work part time while attending college. Physical circumstances generally mandate that their places of part time employment be local – not only to the state but, more specifically, to the municipality or county – or, at least, within easy traveling distance of – where their college is located. Therefore, while it is feasible to set up work-study curricula at individual college Institutes, it does not presently seem feasible or necessary to do so at the level of the interstate region. If at some time in the future interstate regional work-study activities is made desirable and feasible, the principle of flexible institutions tells us that the Advisor structure of the interstate regional committee is to be amended accordingly.

## § 7. The Federal Education Committee

We now come to the last governing committee for public education. Table VI lays out the structure of the federal education committee. Previous general remarks apply to this committee. The different corporate persons appearing among the representatives are national-level-interests corporate persons. Representative delegates are selected by and appointed from the diverse interstate regional committees. The federal committee is the governing committee for national common interests. Like all the other committees, this governance of common interests is also charged with the Duty of legislating in such a way that special interests, in this case at the interstate level, are protected such that differing interests are made contrary rather than contradictory.

**Table VI: The Federal Education Committee**

Representatives	Advisors	
Interstate regions'	Interstate federations Advisor	Academic Advisor
Teachers'	Legal Advisors	Higher education Advisor
Business community's	Constitution Advisor	Economic Advisor
Mini-Communities'	Social contract Advisor	Curriculum Advisor
Taxpayers'	Mini-Communities' Advisors	Research Advisors

In addition, the committee has a non-voting chairman, appointed by and from the representatives, and a recorder.

There is a strange love-hate relationship between political state governments and the general government of the United States. It is likely true that the state governments and the general government have been at best uneasy bedfellows since 1789. One might very well wonder if the American experiment would not have died in its infancy were it not for the unifying presence of George Washington when the system first began. In modern times I think it is largely correct to say that state governments value the general government when the latter does as they, the state governments, tell it to do, and despise it when it tells them what to do. Antagonisms between the levels can be traced to one dominating factor, namely that state governments and the present day general government both view their roles as those of *ruling* bodies and both tend to confuse rulership for governance and vice versa.

I do not doubt many legislators and executives at both the state and general levels take offense at hearing themselves characterized as rulers. I also think this offense taken is not disingenuous for the most part. But in point of fact these governing bodies more often behave as rulers than as servants even as party propaganda tries to assure citizens that public service and not political rulership is their lodestone. The fact remains – demonstrated again and again by their actions – that the Object of every political party in the United States is rulership through the tyranny of non-consensus democracy, just as Adams predicted would become the case.

There is an old aphorism, "men must be governed," often attributed in this country to one-time Speaker of the House Robert Charles Winthrop in a speech he made in 1849 to the Massachusetts Bible Society. In point of fact, the notion if not the precise wording has been around far longer. It was, for example, argued by Hobbes in *Leviathan*, and there is no reason to think Hobbes was the first to express it. In practice, this aphorism is usually corruptly understood as "men must be ruled." This interpretation renders it an unnatural principle contrary to the human nature of those who are to be governed under its precept. In the government of a Republic, those who act as its legislators, executives, and judges *serve* rather than rule the body politic. This is an ancient and venerable principle of leadership. It was already cast in written form in the 6th century BC:

Why is the sea king of a hundred streams?  
Because it lies below them.  
Therefore it is the king of a hundred streams.

If the sage would guide the people, he must serve with humility.  
To lead the people he walks behind them. . . .

Because he does not compete,

He does not meet competition. – Lao Tzu, *Tao Te Ching*, 66 (6th century BC)

The proposal I place before you aims to put an end to the precepts of rulership in governance. It may seem strange that the structure depicted in figure 1, by placing the federal committee at the apex of an *inverted* pyramid, conforms to Lao Tzu's principle, but correct principles of the human nature of leadership know no privileged era in history. Rulership is a precept of Taylorism.

The states' representatives are replaced by the interstate region representatives at the federal education committee. In the event that a state belongs to no regional association of states, then its delegation to the federal committee is selected and appointed from the state's state committee. However, because it continues to be vital to maintain *Gemeinschaft* federalism in interpersonal relationships, individual state delegations should be kept to a minimum at the federal level for the same reason discussed earlier in regard to the intrastate regional committees. Policy making and decision making by consensus remains the rule for federal committee actions. The remaining representatives are similar to those at the interstate regional level except, of course, that the corporate persons being represented differ from the interstate regional level through having special interests present at the national level of governance.

There are no state Advisors to the committee because their role is filled by interstate regional Advisors at the federal level. These Advisors' role is to advise the federal committee about issues and interests of the interstate regions. In the event that a single state also comprises a single region, the interstate Advisor role is replaced by a state Advisor for that state. However, as just noted, individual "state-as-a-region" constructs are to be discouraged. The federal Advisor is replaced by a Constitution Advisor who advises the committee on matters of constitutional law.

A new Advisor position, the research Advisor, appears at the federal level. There are a number of national interests and issues peculiar to the function of the general government of the United States that create national research needs that are not special interests of any particular state or interstate region. Issues related to national defense constitute one example of this. In addition, the general government's mandate to promote the general welfare carries with it an implied mandate to promote scientific and technical research at Institutes of higher education in the United States.

Article I section 8 of the Constitution contains the clause, "To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries." This is a power delegated to the U.S. Congress and is the article justifying establishment of the Patent Office and Copyright laws. However, public education falls under the judicial branch of government. This branch is no less responsible for the government objective 'to promote the general welfare,' and 'promoting the progress of science and useful arts' is one of the most important methods of promoting the general welfare. Research at Institutes of higher education is an alternative teaching method and one that is as applicable to undergraduate students as it is to graduate students. Policies concerning the conducting of research at Institutes of higher education, and identification of particular areas of research in the national interest, therefore logically falls to the federal education committee.

There is no reasonable doubt that many of the Framers viewed establishing Institutes of higher learning and the promotion of "science and the useful arts" as a fundamental task of government. On August 18, 1787, a list of proposed Congressional powers was referred to the Convention's "committee of detail" that included the following items:

- To secure to literary authors their copyrights for a limited time;
- To establish an University;
- To encourage by premiums & provisions the advancement of useful knowledge and discoveries. [Farrand (1911), vol. II, pg. 325]



When the list of powers eventually appeared in the draft form of the Constitution put together by the Committee of Style, it had the same form as appears in the final version of the Constitution. The particular "details" noted above did not receive any significant debate after August 18, the delegates having been occupied with matters of taxation, slavery, treaties, and other issues regarded as weightier, before the Convention ended on September 17. Farrand's *Records* provide no detail on how or why the final wording appeared as it did save for one very brief item of debate on September 14:

Mr. Madison & Mr. Pinckney then moved to insert in the list of powers vested in Congress a power "to establish an University, in which no preference or distinctions should be allowed on account of religion."

Mr. Wilson supported the motion.

Mr. Gouverneur Morris [said,] It is not necessary. The exclusive power at the Seat of Government will reach the object.

On the question . . . Ayes – 4; noes – 6; divided – 1. [Farrand (1911), vol. II, pg. 616]

What Morris said – that the general government had the power to establish a national university and, by implication, to promote "the advancement of useful knowledge and discoveries" – would have been true on September 14, 1787. However, the Convention did not set up a bill of rights before adjourning, and, after the Bill of Rights was amended into the Constitution by Congress during its first session, the 10th Amendment changed this situation by taking this power away from the general government.

The 10th Amendment is probably the most over-generalized and unwisely written article in the U.S. Constitution, and the most abused of all the Amendments that have been made to it. In this case, its interpretation almost certainly runs contrary to the intentions of the Framers, and this interpretation had a most profound and generally negative impact on public education in America throughout the 19th and 20th centuries running right up to this day. It is an Amendment badly in need of amendment. Let me be very straight with you here: the 10th Amendment *does* prohibit the reforms I am proposing here, and *does* do so in violation of the American social contract and the Constitutional mandate to promote the general welfare – and this *is* an institutionalized and on-going perpetuation of injustice.

## § 8. Inter-level Coordination of the Governance of Public Education

Heterarchy organization is organization for coordination and cooperation of divers interested corporate persons for the purpose of achieving common goals and satisfying common interests. It is a term applied to governance at a particular level of governance. However, for the system I am proposing here, it is equally necessary that coordination and cooperation between the various levels of governance be instituted as well. If this is not done, the result will be well organized chaos. There must be some sort of "glue" binding the different levels of education governance together to form a single unified system of governance that does not depend on rulership or upon asocial premises of either monarchy/oligarchy governance or non-consensus democracy.

There are three mechanisms, each rather obvious, for satisfying the purpose. Individually these mechanisms are incomplete and inadequate, but together they build into the institution a workable means of accomplishing the purpose. These mechanisms are communication mechanisms.

One of these is the presence in all the intermediate level committees of Advisors who have the necessary breadth of expertise to cover the preceding and succeeding levels, and who provide the members with important information regarding the effects and consequences of the committee's actions (or lack thereof) for the other levels in the system. If you examine the organization tables

that have been presented here, you should have no difficulty understanding which Advisors are provided for this purpose.

The second is the requirement that reports of the arguments made and the actions taken by each committee at each meeting be published to all the other levels in the committee's "chain." This provides the record necessary to keep all the other levels adequately informed as to actions that are pending or in the process of deliberation at other levels, and provides opportunity and time for each level to communicate its concerns and questions back to the committee's members. Each committee has a recorder, and the recorder's function is vital to the working of the system.

The third mechanism I have alluded to *en passant* earlier. Its importance, though, requires an amplification here. Concisely worded, the mechanism is the sending of observers, witnesses, and what can likely best be called "ambassadors" from each committee to the others in its part of the "chain" of governance flowing from the citizens of the districts all the way to the federal committee level. This means that all committee meetings are "open" meetings with no "closed" or "executive" sessions at which spectators and observers are prohibited. Although there are some very few instances when closed meetings of some committees or assemblies in government are justified (for example, meetings concerning military or espionage secrets), no circumstances of this kind attend the governance of public education. With very few exceptions, secrecy in government is a tool of despotism and is incompatible with the principle of government by the people.

The requirement that all motions that come before a committee require consensus in order to be passed places a practical necessitation on the operations of the committee that *previous notice* of all proposals to be brought before the committee be given in writing. This is a practice that is common in many kinds of governing committees and is regularly exercised in accordance with conventions established by *Robert's Rules of Order* [Robert *et al.* (2011), pg. 4]. Notice is usually given in written form and communicated to the committee chairman or secretary (the recorder in the case being discussed here), who then includes all notices in the call of the meeting at which it is to be considered. Some committees make notices a standing part of their rules of order during meetings, in which case the notice cannot be moved or voted on at that meeting unless a motion to suspend the rules is made, seconded, and passed. This practice provides ample opportunity for the recorder to communicate notices to other committees so that adequate time is provided to them for sending observers to the meeting where the proposal will be moved and/or for notifying the committee that other committees wish to send witnesses to convey information or testify about any concerns they might have.

Hearing witnesses wishing to testify about concerns over a pending proposal should be made a part of every committee's standing rules of order. Indeed, this practice will do much to reduce the number of instances in which another committee at another level in the pyramid appeals an action to the judicial panel. Regular witnesses are not a convention found in *Robert's Rules*.

In order to convey a general understanding of the thinking and moods of a committee to the other stakeholder committees in the system, other committees should send ambassadors to attend its meetings. By "ambassador" I mean a designated person who routinely observes proceedings of the committee and who can request the committee's chairman to allow him to make remarks or observations concerning notices being given or motions being brought. The chairman should always grant this privilege when it is so requested. Although an ambassador cannot vote, what his remarks convey to the voting members of a committee is very useful as a vehicle for promoting better coordination between the divers levels of the system. The most effective committees of governance I have served on during my career always employed this mechanism. I think it likely that anyone who has spent considerable time serving on governing committees who adopted this mechanism as part of the standing rules of order can appreciate the benefit this provides. The use of ambassadors also provides a very beneficial service of helping to explain the purposes and

intentions of notices that have been sent to a committee from the committee he represents. In this way, unintended consequences can be made visible and suggestions can be carried back to a proposal's originators.

There are some more or less obvious valid and practical concerns attending this part of the proposal. One of them is the question of whether or not unreasonable travel burdens might be placed on members of delegations. This is especially the case at the more downstream levels of the inverted pyramid. This, however, is a concern that can be addressed by technology. For instance, low cost video "teleconferencing" has become an increasingly standard practice today, empowered by the development of several different kinds of teleconferencing systems. The Internet tool known as Skype™ is one very low cost example. I have used this myself to attend and participate in meetings over the past few years, and have found it quite workable and satisfactory.

Another concern is whether or not an excessive time burden might be placed on members of committee delegations by this necessity of coordination. A basic aspect of this proposal works to relieve this concern. Because the representatives are always corporate persons and are composed as delegations, the duties imposed by the method can be shared by delegates so that no one person is overburdened by them. It is a long established social principle of public service that there are legitimate limits to the extent to which Society can ask for public service duties to be rendered by one person. Perhaps the most famous expression of this was provided by Thomas Jefferson:

If we are made in some degree for others, yet in a greater [degree] we are made for ourselves. It were contrary to feeling and indeed ridiculous to suppose a man had less right in himself than one of his neighbors or all of them put together. This would be slavery and not the liberty which the bill of rights has made inviolable and for the preservation of which our government has been changed. Nothing could so completely divest us of that liberty as the establishment of the opinion that the state has a *perpetual* right to the services of all its members. This to men of certain ways of thinking would be to annihilate the blessing of existence [Jefferson (1782), pg. 365].

To some the organization by delegation I propose here might seem unnecessarily inefficient and involve more people than might seem necessary. My answer to this impression is that if any system of governance is to be workable, it must be designed so that its being worked by people is a practical possibility that does not contradict individuals' capacities to attend to their Duties-to-Self or to their personal societies. As Mill wrote,

First, then, representative, like any other government, must be unsuitable in any case in which it cannot permanently subsist – i.e. in which it does not fulfill the three fundamental conditions enumerated in the first chapter. These were – 1. That the people should be willing to receive it. 2. That they should be willing and able to do what is necessary for its preservation. 3. That they should be willing and able to fulfill the duties and discharge the functions which it imposes on them. [Mill (1861), pg. 41]

In order to satisfy both the second and third conditions Mill cites, the system of public education governance must be *designed* so it is always possible to meet these two conditions.

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