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The Honor of His Own, and Model of Future Times: George Wythe's American Revolution in Civic Education

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Abstract

This essay considers George Wythe's essential role in creating American civic education. Wythe is most well-known for his influence on American Law; he was the first teacher of law in America and he wrote pivotal opinions on Virginia's High Court of Chancery. Nevertheless, his influence on American education and the American Revolution was just as essential to the American Founding. Recovering Wythe's role in shaping civic education in America is important today, given recent lawmaking decisions to fund civic centers within various states. Wythe and Thomas Jefferson—Wythe's first student—shaped the College of William & Mary. Inventing American civic education was their aim. This paper explains Wythe's role as a teacher who created the legal and moral frameworks for American civic education in America. I argue that Wythe's contributions to American education were just as essential to maintaining self-government as the Revolutionary War was in rendering the colonies independent from Britain.

Keywords: higher education; civic education; American revolution; liberal education; education reform; legal education

1. Introduction

"Not since Plato's time, has any teacher been made more illustrious, judged by the performance of his disciples." (Page 1924, pp. 375–86)—Rosewell Page on George Wythe

Near the end of his life, when Thomas Jefferson sat to write a letter to John Sanderson concerning a biography of his teacher George Wythe, the sage of Monticello sat at a loss for words. Although his grace of pen could expound the philosophic causes for American independence, he could not bring himself to adequately explain Wythe's profound, yet peculiar, contribution to the American Revolution.

Nevertheless, he sent Sanderson a short biographical sketch and wrote that "the exalted virtue of the man will also be a polar star to guide you." (Jefferson 2019, p. 228). Although he could not provide a direct explanation of Wythe's contributions to the revolution, his brief page of "Notes for a Biography of George Wythe," detailed Wythe's "exalted virtue." He concluded the biographical sketch with the statement that "Such was George Wythe, the honor of his own, and model of future times." (Jefferson 2019, pp. 229–32).

In this concise statement, Jefferson encapsulated Wythe's contribution to revolutionary America and to the founding of the country. George Wythe honored his own time and became a model for future times through his role as an educator. He not only established crucially important legal frameworks to maintain liberty and self-government, but he also created American civic education to sustain those frameworks. That education required a



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personal moral character marked by integrity that defined Wythe as a man and a teacher. Through Wythe's moral character, he instructed students in the essential ideas and used the essential works to impart a capacity for self-government; furthermore, he established America's first moot legislature to practice the art of self-government before one's fellow citizens. All of this amounted to an educational revolution that was essential to the American Revolution, the American Founding, and the administration of laws and government after the ratification of the Constitution.

2. *A Polar Star to Guide You: The Founders' Father*

George Wythe's (1726–1806) understanding of the connection between the law and the regime is immediate. He was America's first law professor, and he became one of the first appointments to Virginia's High Court of Chancery in 1778. In 1779, a Virginia law required the three Virginia Chancery Court judges to serve on the Court of Appeals. In 1788 when Virginia law created a standing Court of Appeals, Wythe became the sole chancellor of the Chancery Court, and his decisions were subject to the Court of Appeals.

Before the United States Supreme Court was established to adjudicate the law, in 1780 Wythe, William Paca, and Titus Hosmer were elected to serve on the Court of Appeals in the Cases of Capture, to hear cases from all Courts of Admiralty. Nevertheless, Wythe declined the appointment to maintain his focus on Virginia law. It is worth highlighting these facts because, whatever his additional contributions to the shaping of a distinctively American education for citizenship (and they are numerous), all of Wythe's pedagogical innovations flow from these foundational legal experiences and commitments.

Wythe's law career is the most well-known and best-documented aspect of his life. Although he was America's first law professor, and his lecture notes were to be bequeathed to Thomas Jefferson upon his death, it is likely Jefferson never inherited the papers (Wythe 1806). Although Wythe's law lectures were lost, he meticulously compiled his Chancery Court opinions and compiled them in a volume entitled "Wythe's Reports." (Wythe 1795).

Although Wythe's law career is well known, his contributions to the foundations of American education and to the American Revolution are less well known—even as they connect naturally to his legal principles and priorities. Wythe's most momentous contribution to law was from the classrooms of William and Mary where he was a civic educator. Furthermore, his pedagogy when teaching the law was heavily influenced by the revolution and the promise of American independence and self-government. When Wythe taught law at William & Mary, he performed an educational revolution in the American practice of law just as essential to the American experiment as was the Revolutionary War itself—and this revolution would inform American law and institutions for generations to come.

Wythe's Revolutionary Roots

George Wythe was born in Elizabeth City County, Virginia, to Thomas Wythe and Margaret Walker. His family belonged to the colonial gentry. His maternal grandfather, George Keith, was a Quaker minister and opponent of slavery. His father died when he was young, and his mother provided him with a classical education that included Latin and Greek. She fostered in him a love of learning. Jefferson wrote that "he had not the benefit of a regular education in the schools, but acquired a good one of himself, and without assistance; insomuch as to become the best Latin and Greek scholar in the state. it is said that while reading the Greek testament his mother held an English one to aid him in rendering the Greek text conformably with that." (Dill 1979, p. 59; Carrington 1990, p. 534). Wythe's mother set him on the path to become a self-made man and a model of civic virtue through self-education.

Wythe's public service before and during the American Revolution demonstrated his commitment to American independence and republican government. In 1748, at the age of 22, he became a clerk to two committees that crafted laws in the Virginia House of Burgesses: Privileges and Elections and Propositions and Grievances. He became a lawmaker in the Virginia House of Burgesses beginning in 1754 through 1767, with some interruptions. Although modest and quiet by nature, he became radically opposed to the Stamp Act of 1765 and all attempts by the crown to regulate, tax, or trammel the American people. Despite pursuing public life, he maintained his love of learning, regularly meeting with Royal Governor Francis Fauquier and Professor William Small to study philosophy and history. During this time, in 1762, he met and taught one of his first students, Thomas Jefferson.

In 1771, when John Murray became royal governor of Virginia, Wythe increasingly became convinced of the necessity of revolution. Murray, the 4th Earl of Dunmore, tried to govern without the House of Burgesses, but finally convened the assembly in 1773. Shortly thereafter, Dunmore postponed the assembly when it tried to establish a Committee of Correspondence. After Dunmore postponed the assembly, Parliament passed the Tea Act. Dunmore tried to convene the assembly in May of 1774, but in protest the House of Burgesses declared a day of fasting and prayer, signed by Wythe.

Wythe became a delegate to the Second Continental Congress in 1775 to replace George Washington who had taken command of the Continental Army. Due to Wythe, Jefferson rejoined the Congress in October, though he left for five months in the winter and spring. That winter, Wythe, John Jay, and John Dickinson travelled to New Jersey to convince the colony's assembly to unite in support of revolution. After rejoining the Continental Congress, Wythe moved Richard Henry Lee's resolution for establishing independence and voted in its favor. When the Virginia delegates began to sign the Declaration of Independence, Wythe was away in Virginia, but his fellow Virginians left him the very first place among the seven signatories. After signing the Declaration, he hurried back to Virginia to help establish the new state government. He then served as a delegate to the Constitutional Convention and sat on the committee to establish rules and procedures. His wife suffered a fatal illness after he arrived, yet he remained long enough to significantly affect the rules that helped govern deliberation at the convention. He represented York County in Virginia's ratifying convention and became the Chairman of the Committee of the Whole.

Despite his direct contributions to America's revolution and founding, his greatest contribution to the country was his teaching. In 1779, he accepted the position of professor of law and police at the College of William and Mary and became the first law professor in an American university (the law school at William and Mary is now called "The Marshall-Wythe School of Law"). Although he was at William and Mary for only ten years, he devoted his life to teaching young Americans as a tutor. Wythe's teaching equipped his students—he called them his "boys"—to found and govern the new republic. His model of civic education was essential to establishing American liberty, as reflected in laws and institutions, and maintaining the American experiment in self-government.

3. *The Exalted Virtue: George Wythe's Moral Character*

Though the framers sought to establish a system of government that provided checks on abuses of power, most understood that moral character and ethics are prior to the capacity for legislative reflection and choice and the administration of justice. For example, the Virginia Bill of Rights states, in point 15, "That no free government, or the blessings of liberty, can be preserved to any people but by a firm adherence to justice, moderation, temperance, frugality, and virtue and by frequent recurrence to fundamental principles"

(Mason 1987). Therefore, the moral and ethical shaping that individuals receive is essential to self-government.

Aristotle argued that *ethos* is the most effective mode of persuasion. A teacher's *ethos* is essential not only to persuading his students to learn but also forms a model that the student may follow. George Wythe's character, as evidenced by the words of his students, formed the quintessential character for American civic education before, during, and after the American Revolution. Wythe educated scores of young Americans in moral and intellectual virtue, not to mention the intricacies of untried and untested republican self-government. These prominent young statesmen and leaders of the republic, often in ways that are hard to trace, would bring their ethical education to the table in crafting constitutions, resolutions, and laws. Wythe's character, contributions, and pedagogy created a stable moral, intellectual, and political foundation for the founding of the country.

Which virtues marked Wythe's character and informed his students? Wythe's contemporaries and later historians consistently identified integrity as his preeminent virtue. One biographer noted that "Wythe's incorruptibility even in the smallest matters became legendary," while another described his integrity as "truly stunning." (Clarkin 1970, pp. 158, 198; I. E. Brown 1981, p. 214). Wythe's mastery was his ability to integrate philosophic principles into political practice, both personally and pedagogically. He was revered among his students for knowing what was true and good and, politically, doing exactly what he believed to be true and good. Furthermore, his students aspired to follow the model of his "legendary" character by emulating his personal and political integrity.

Wythe set a moral and political standard for his students as they fought for independence, founded the country, and then governed it. His standard was essential in inspiring his students to actively engage in politics. His moral model showed his students that, in America, a man could be—and *must* be—both a good man and a good citizen: in America the two callings *need not* and *must not* conflict. The depth of respect Wythe commanded among students appears in Richard Randolph's will, where he named as executors his stepfather, two brothers, and "the most virtuous and incorruptible of mankind, and next to my father-in-law my greatest benefactor, George Wythe, Chancellor of Virginia, the brightest ornament of human nature." (Tyler 1915, p. 81; Boyd 1955; Richmond Enquirer 1822, p. 3; Hopkins 2015, pp. 161, 170).

So remarkable was Wythe's moral integrity, extending to the practice of law, that many contemporary observers likened him to Aristides the Just. Thomas Jefferson chose a different comparison to emphasize the importance of such a character to politics in revolutionary America: "No man ever left behind him a character more venerated than George Wythe. His virtue was of the purest tint; his integrity inflexible, and his justice exact; of warm patriotism, and, devoted as he was to liberty, and the natural and equal rights of man, he might truly be called the Cato of his country, without the avarice of the Roman; for a more disinterested person never lived." (Jefferson 2019, pp. 229–32). While Jefferson compared Wythe's influence in America to Cato the Elder's in Rome, he contended that Wythe's influence exceeded Cato's due to his moral character. Wythe surpassed the Roman statesman because he did not *fight* as Cato did but *educated* students who would create and preserve the republic. Because he was a *civic educator*, Wythe's influence extended well beyond his own lifetime, and well beyond his own individual powers and abilities.

Jefferson recognized that Wythe's students learned more than legal reasoning, and this was key to Wythe's contribution: Wythe aspired to make his students *good men* and *good citizens* (Jefferson 1780). Jefferson revealed the deeper purpose of Wythe's pedagogy when he said, "This single school by throwing from time to time new hands well principled and well informed into the legislature will be of infinite value." (Jefferson 1780). Wythe's contribution established a moral foundation for self-government in addition to teaching

judicial and legislative practices. The phrase “well principled” indicates that moral formation, not just legal or political training, defined Wythe’s aim. Nevertheless, his remark that the students were also “well informed” shows Wythe’s aspiration to form students who understood the nation’s pending problems to apply their “well principled” character to the legislative and judicial issues facing the republic.

Quantifying the impact of *ethos* on laws and institutions is not easy, but the lasting influence of Wythe’s moral-political teaching becomes clear when examining his students’ political and legal achievements. Though he instructed fewer than 200 pupils, their accomplishments were extraordinary (Carrington 1990, p. 537). These students “occupied almost every office this young nation had to offer, including President, Vice President, Secretary of State, Attorney General, U.S. Senator, Speaker of the U.S. House, Chief Justice, Associate Justice, federal District Judge, foreign Minister, Governor of Virginia, President of the Virginia Court of Appeals, member of the Virginia, Kentucky, and North Carolina legislatures, President of William and Mary, Professor of Law at both William and Mary and Transylvania, and Episcopal Bishop of Virginia.” (Carrington 1990, p. 537; Devitt 1960, p. 426). One historian concluded that “if the test of the teacher is the ability and character of the students he turns out into the world and the respect which they retain for him in the more mature years. Wythe must have been one of the greatest of instructors.” (Anderson 1911, p. 341; Wythepedia 2025c).

And the personal bonds Wythe formed with students reflected his warmth as well as his rigor: he was an inspirational teacher. One nineteenth-century legal historian describes that he was “exceptionally close to ‘his boys,’” and noted that “all of his students entertained for him a veneration that was almost a religion.” (Hardy 1898, pp. 12, 18). Dice Robins Anderson observed that to Wythe, his students were “not receptacles, not apparatus, not material for experimentation, not means of livelihood; they were living souls, they were generous hearted friends, they were companions journeying with him along the road to truth and manliness.” (Anderson 1911). Reverend James Maury told Jefferson that “Mr. Wythe. seems to enjoy himself no where, so much as with his pupils.” (Dill 1979, p. 56; Wythepedia 2025c). This combination of moral authority and genuine affection made character formation naturally occurring through example, relationship, mutual confidence, and mutual conversation. Although Wythe begot no sons, he had “his boys.”

This bond was the byproduct of Wythe combining the pursuit of moral excellence, connected to the practice of law and the art of legislation, with intellectual achievement: he not only integrated morality and politics in his personal life and his teaching, but he also integrated practical-civil life with the intellectual life, or the life of the mind. Wythe’s rare combination of integrity, talent, and pursuit of knowledge uniquely positioned him to shape the founding generation’s understanding of civic virtue, which then went on to inform laws and institutions. Wythe’s understanding that the human life, the political life, and the intellectual life were necessarily intertwined and ought not conflict created an *ethos* among his students. That *ethos* was essential to the founding of the country and to governing a republic devoted to the principles of liberty, self-government under the rule of law, and natural rights.

4. The Honor of His Own Time: Wythe’s Pedagogy and Its Revolutionary Roots

The deep connection between personal character, political principle, and legal application that would later inform Wythe’s understanding of civic education is revealed specifically in his involvement in the American Revolution: politics and education necessarily collided for Wythe.

When the Revolutionary War arrived at the doorstep of William & Mary, Wythe had no choice but to confront the exigencies of war. Jefferson captured Wythe's integrity and courage when he wrote, "instead of higgling on half-way principle, as others did . . . [Wythe] took his stand on the solid ground that the only link of political union between us and Great Britain, was the identity of our Executive; that that nation and its Parliament had no more authority over us, than we had over them." (Page 1924). For Wythe, education was not the practice of philosophers in closets or intellectuals atop ivory towers. Rather, education quickly and necessarily became political, a matter of life or death, of liberty or continued enslavement as colonial vassals. Though liberal education ought to open the way for free debate, Wythe believed that freedom itself was the foundation of free debate. Thus, Wythe stood behind a revolutionary view of freedom and William & Mary followed suit. Wythe believed that for academic freedom and freedom of debate to occur, a more robust understanding of freedom itself must be adopted: Freedom, not as a privilege of Englishmen and the product of common law, but freedom as a self-evident truth and natural rights as equally endowed by a Creator. For Wythe, unless freedom itself had a firm foundation—a foundation of equal natural rights, prior to government—freedom of debate might prove futile. For Wythe, on the issue of natural rights, there was no "half-way": natural rights were fundamental, a matter of justice; in this there could be no compromise.

Wythe immediately stood for revolution because he understood that liberty needed a "solid ground" or foundation: its proper foundation was republican government that provided the opportunity for self-government. While others believed that liberty and rights could exist as a result of loyalty to an un-free empire, Wythe understood that liberty depended on the character of one's governors, the rule of law, and political principles. He realized, according to Jefferson, that liberty could not be begotten by a monarchy that was definitionally illiberal.

Furthermore, Wythe understood that the only link between America and Britain was its "executive": a monarch or a royal colonial governor. Wythe understood that liberty could not be established in America by the favors of the crown or his courtiers because the very character of such an "executive" was contrary to liberty and self-government. He believed that the regime itself must be liberal if its people were to be self-legislating and free. America, Wythe understood, must be a self-governing republic if it were to protect equal rights and individual liberty. Furthermore, in order for it to be self-governing, its people must be capable of reflection, including reflection in the face of political crises.

Wythe was immediately thrown into the revolutionary crisis. He became a professor of Law and Police at William and Mary in December 1779, just before the school year was set to begin on January 17 (Clarkin 1970, p. 143). By 1780, the British invasion was threatening to penetrate the grounds of the University. In October 1780, Wythe's student, John Brown, wrote that the "Invasion of the English [was] expected daily." (J. Brown 1900, p. 83). The result was that the college had become "intirely deserted by every Studt but one or two who are sick." (J. Brown 1900, p. 83). On 5 January 1781, troops under Benedict Arnold occupied Williamsburg and the possibility became an unavoidable reality.

Though the troops raided the campus and disrupted the winter session only to depart shortly thereafter, the student body was shaken, and the future of William & Mary was uncertain. Wythe advertised that his classes would swiftly reconvene on 1 May 1781. By June 1781, Cornwallis and his troops marched into Williamsburg and William and Mary remained closed for eighteen months.

After Cornwallis's evacuation on 4 July 1781, the grounds of the university housed Washington's troops. Washington set up a personal headquarters in Wythe's residence and Rochambeau stayed in Wythe's home as a guest. The French troops encamped in Williamsburg for nine months after the British surrender at Yorktown (I. E. Brown 1981,

p. 208; Clarkin 1970, pp. 145–46). The revolution not only penetrated the grounds of the university but was quite literally at Wythe's doorstep. This was a daily reminder that the future of the college and the country were intertwined, and it graphically symbolized (in looking back on the important pedagogical innovations that would occur at William and Mary following the events of the Revolution) how the college would take on an important role in shaping the laws and institutions of the young republic.

5. *Ready to Serve: Civic Education at William and Mary*

Indeed, coming out of this wartime trauma, Wythe's tenure at William & Mary represented a revolutionary approach to civic education in early America. His methods demonstrated a clear understanding that the young republic required citizens not merely trained in law, but in the art of republican self-government. He feared that the generation of rising patriots saw politics through the lens of colonial vassalage and he sought to teach them to become true self-governing republicans. Wythe's devotion to the ideals of the revolution led him to create the world's first civic institution for the practice of republican self-government. At William & Mary, Wythe revolutionized education: he created for his students America's first mock-legislature and mock-trial system at the university level; what is more, he gave them a civic and moral education by teaching his students the moral underpinnings necessary for self-government. With reference to the great texts of the past, he taught his students how to self-govern the republic by using self-governing institutions, and he taught them how to govern themselves by emphasizing the importance of moral character.

As the French troops quartered at William and Mary, the French general Chastellux recognized that William and Mary's faculty possessed "distinguished merit" and "may be regarded as living Books." (Clarkin 1970, p. 149). The phrase "living Books" captured Wythe's understanding of the demands of self-government. Self-government under the rule of law required self-made and self-educated men who integrated the knowledge transmitted from the cold pages of old books into their actions. Wythe and Jefferson challenged the faculty at William and Mary to model that ideal.

Chastellux recognized a fact that distinguished American education from European education: the American people were to become active participants in self-government, and that required an education that formed a specific kind of character marked by moderation, courage, and self-reliance. Chastellux mused that the professors at William and Mary "have already formed many distinguished characters, ready to serve their country in the various departments of government." (Clarkin 1970, p. 149). Because their students would necessarily become involved in self-government, a new kind of civic education was necessary. Teachers such as Wythe actively sought to prepare young American revolutionaries to become self-governing republicans. Although Washington and Jefferson understood the need to establish an American University after the Revolution, arguably, Wythe understood this challenge more than any American.

Wythe emphasized that he aimed to prepare students to become statesmen. As Wythe reestablished his program in 1783, he told John Adams he was "assisting, as professor of law and police in the university there, to form such characters as may be fit to succeed those which have been ornamental and useful in the national councils of America." (Clarkin 1970, p. 156). Wythe's primary emphasis was to form "such characters." He understood that the formation of civic character would refine revolutionary patriots into self-governing republicans. He understood that if students had the proper character, and the proper understanding of republican government, they would become statesmen within the nation's law-making and legislative councils and preserve the American experiment.

Wythe's commitment to civic education, in many ways, approximated the vision that Washington would later espouse. His character and curriculum attracted students from all corners and sections of the Union. Richard Henry Lee informed Wythe that "sensible men in the neighboring Countries, entertain a proper sense of the benefits to be derived from your benevolent attention to the instruction of youth." (Lee 1911, vol. II, p. 279; Wythepedia 2025c). Lee specifically noted that "young gentlemen now of Philadelphia propose to finish their studies with you." (Lee 1911, vol. II, p. 279). Students' willingness to travel such distances to learn from Wythe evidenced the nation's understanding that such a model of civic education was necessary for young men to learn the arts of statesmanship and self-government, but also that the nation was united in the burgeoning project of civic education. While earlier in his life, Wythe travelled to neighboring colonies to unite the nation on behalf of independence, during his teaching years, students from many distant states travelled to learn and preserve the experiment in liberty and independence that he had helped set in motion.

6. The Civic Revolution in American Education—Ethical and Legal Dimensions

It is little wonder that the model of education at William & Mary approximated the aims for civic education envisioned by Washington and Jefferson: in many ways, the university provided a model that the University of Virginia sought to emulate. Like Wythe, Jefferson believed that a university was necessary to inculcate knowledge of self-government and the virtues of self-government in its students. In 1825 he told an audience at the University of Virginia that "this University is the immediate creation to pay especial attention to the principles of govmt which shall be inculcated therein, and to provide that none shall be inculcated which are incompatible with those on which the constitutions of this state and of the U.S." (Jefferson 1825). Before the establishment of UVA, however, he created this model at his Alma Mater, William & Mary. In the Virginia House of Delegates in the 1770s Jefferson prepared three laws regarding education, which sought to revolutionize the organization and curriculum at William & Mary where Wythe was teaching. This same approach is utilized today and a live issue in our laws regarding education: see the law (Florida Senate Bill 266) that provided the governor with the power to revolutionize education at such schools as New College (Florida Senate 2023). Nevertheless, Jefferson's reorganization law failed in the Virginia House of Delegates, but in 1779 when Jefferson became the Governor of Virginia and a member of the college's Board of Visitors, he successfully mounted his revolution at William & Mary.

The reorganization of William & Mary reflected Jefferson's understanding of the absolute necessity of civic education, and its connection to law. Prior to Jefferson's reorganization, William & Mary professors condemned a student, James Innes, as he "raised a company during the first days of the War." (Clarkin 1970, p. 141). The Board of Visitors, including Wythe, responded to "the faculty's Toryism by forcing out both the Master of the Indian School and the Professor of Divinity." (Clarkin 1970, p. 142). When the president of the college, John Camm, took a stand against the visitors' support for the young patriots, he was suspended. Jefferson, Wythe, the Board of Visitors, and the patriotic students all understood that the political revolution required a new kind of education. They understood that education in revolutionary America was, by nature, political and republican.

After President Camm was suspended, the Board of Visitors selected Reverend James Madison, cousin of future President James Madison, as William and Mary's new president. At the time he was only twenty-eight years old, but was "known for both his great intellect and republican sympathies." (Clarkin 1970, p. 142). Rev. Madison's selection as the new

president of the college sent a clear and direct signal: William & Mary would no longer be infected with “Toryism.” It would be the first republican university in world history.

Jefferson later recalled: “I effected . . . a change in the organization of [William and Mary] by abolishing the Grammar school, and the two professorships of Divinity and Oriental languages, and substituting a professorship of Law and Police, one of Anatomy, Medicine and Chemistry, and one of Modern languages.” (Jefferson 1903, vol. 1, pp. 69–70). These changes shifted the college from religious education toward practical preparation for republican citizenship and statesmanship. Undoubtedly, concrete virtues connected to deliberation about and implementation of laws that now receive greater attention included courage, moderation, and wisdom, as Cicero and Cato the Younger were read to a greater extent.

Jefferson’s restructuring plan, making use as it did of the law, presented a precise model for civic education. In bill number 80, he proposed eight professorships at William and Mary including one for “law and police,” of which Wythe would become chair and professor (Clarkin 1970, p. 142). W. Hamilton Bryson argues that “the obvious choice, in fact the only choice, was George Wythe [because] The Chancellor had a profound knowledge of the law, he had already demonstrated great skill in imparting such knowledge to intelligent young men, and just as important, he was a zealous republican.” (Bryson 1979, p. 22). Clarkin argues that “The professor of law and police would be responsible for teaching municipal law, which included the common law, equity, and merchant, maritime, and ecclesiastical law, as well as economical law, defined as politics and commerce.” (Clarkin 1970, p. 142) This broad curriculum related to law recognized that legal education must be concerned with the practical political issues of the time—merchant and maritime law, for example—as well as the foundations of particular kinds of law—“politics and commerce.” By “politics and commerce,” Jefferson meant political economy and political philosophy. Law has both practical and theoretical dimensions, a fact unfortunately not sufficiently appreciated by all influential voices on law faculties today, and the establishment of one of the young Nation’s first civic institutes clearly took it into account. Thus, the process of establishing this first civic institute, it is also worthy of note, relied on legislative processes at every turn.

In addition to Wythe’s appointment, on 4 December 1779, the Board of Visitors appointed two other new chairs, all of whom “were thoroughly in sympathy with the visitors’ regarding the ongoing struggle with Great Britain.” (Tyler 1890, p. 132). The three chairs were Reverend James Madison (Chair of Natural Philosophy and Mathematics), Reverend Robert Andrews (Professor of Moral Philosophy, the Laws of Nature, and the Fine Arts), and Wythe (Clarkin 1970, p. 142; I. E. Brown 1981, p. 201). Republican principles were the essential link tying these subjects together. Hiring republicans who were steeped in the theory of the American Revolution was crucial for the university’s mission of offering effective civic education for young patriots.

The new William & Mary envisioned an education affordable to most citizens who were willing and able to withstand its rigor. Furthermore, the college’s first move after legislative reorganization was to present a plan that allowed ambitious students to learn from all three chairs at the university in all three disciplines. Lyon Tyler writes, “At the first faculty meeting after the reorganization, held on 29 December 1779, Wythe and his colleagues resolved that out of the courses offered by Wythe, Madison, and Andrews, ‘a Student on paying annually one thousand Pounds of Tobacco shall be entitled to attend any two . . . and that for fifteen hundred Pounds he shall be entitled to attend the said three Professors.’” (Tyler 1890, p. 133; Wythepedia 2025c). The opportunity to receive an interdisciplinary civic education at William & Mary, wherein the student may pursue the great questions related to Moral Philosophy, Natural Philosophy, Mathematics, Fine

Arts, and Law, gave young patriots the opportunity to develop the capacity to reflect and reason on a wide array of topics. Education at William & Mary was aimed at educating the whole human person and preparing him for reasoned self-government and legislation while equipping him with the appropriate moral character.

The revolution at William & Mary transformed it from a small college with instrumental purposes into a legitimate university that would determine the fate of the republic by presenting an opportunity for American boys to enlighten and refine themselves into statesmen of high moral character. Clarkin argues that due to Jefferson's revolution, "William and Mary now became a university, the first such in the new nation." (Clarkin 1970, p. 142).

A Civic Education in Self-Government Under Law

The political dimension of Wythe's pedagogy was as revolutionary as Jefferson's reorganization of William & Mary. Walker Maury described the university, stating that no "institution [was] better planned, or more judiciously managed for the forming, either the lawyer, or the statesmen." (Maury 1784). Suzanne Munson emphasizes that "Until William and Mary opened it school in 1779, there was no curriculum in America designed specifically to prepare attorneys, judges, legislators, and others for leadership in the emerging nation's government." (Munson 2018, p. 168). Under Wythe, students practiced the art of self-government while enduring the rigors of reading classical texts in their original language.

Adding to the practical civic and legal dimension of education at William & Mary, subsequent to the legislative reorganization spearheaded by Jefferson, Wythe was the first in American history to create a college moot legislature and moot court. Alonzo Thomas Dill argues that the moot court "concept likely came from the London Inns of Court, which, a couple of centuries previous, had held 'mootings.'" (Dill 1979, p. 44). However, Wythe's model was different in an essential way: the English model "had seen the member-barristers deliver arguments on both sides of set cases [but] Wythe reversed the process by having the students themselves do the arguing." (Dill 1979, p. 44).

Student John Brown reported that the "Moot Court [is] held monthly or oftener in the place formerly occupied by the Genl Court in the Capitol." (J. Brown 1900, p. 80; Wythepedia 2025c). He explained, "Mr Wythe & the other professors sit as Judges[.] Our Audience consists of the most respectable of the Citizens, before whom we plead Causes given out by Mr Wythe Lawyer like I assure you." (J. Brown 1900, p. 80). Allowing students to practice law before a public audience "of the most respectable of the Citizens," introduced the students to the realities of American self-government. It allowed them to integrate their book-learning with the politics of their day. Jefferson praised the moot court, stating that it provided "opportunities to students of practicing their lessons in Rhetoric, of habituating themselves to think and speak with method, and lessens the shock of the premier debut at the bar: so terrible is the first essay of strength before the public." (Shepard 1979, p. 753).

Additionally, Wythe established a moot legislature. According to Walker Maury, students met "twice a week in Mr. Wythe's school, and going thro all the forms of pleadings of a court of judicature, with the utmost exactness and decorum." (Maury 1784). Furthermore, students assembled "once a fortnight, as a body of Legislators, in whom you see our assembly in miniature debating, at least many of them, extempore, on important questions of state." (Maury 1784). The students excelled in their "mootings": "some of their harrangues wou'd be heard with pleasure in any house of representatives; and the whole is conducted with, perhaps, more spirit than was ever display'd in any institution of this nature." (Maury

1784; [Wythepedia 2025c](#)). This mock legislature gave students direct experience with the art of republican self-government. It was a model to train the nation's future statesmen.

Essential to this was that Wythe modelled serious, principled thinking for his students. In addition to the practical training he introduced, he added lectures twice weekly. The substance of his lectures reflected original thinking and serious questioning of great texts rather than repetition of established law or forfeiture of the argument to established authorities. John Tyler later noted that Wythe's lecture notes contained "so much of [Wythe's] own sound reasoning upon great principles, and not a mere servile copy of Blackstone, and other British commentators." ([I. E. Brown 1981](#), p. 225). The notes included "a good many of his own thoughts on our constitutions and the necessary changes they have begotten, with that spirit of freedom which always marked his opinions." ([I. E. Brown 1981](#), p. 225). As Wythe studied the classical sources and common law, he constantly drew his students back to the American experiment and its improvements on the past, on behalf of liberty.

However, Wythe's departure from William & Mary in 1789 marked the end of an era at the university. Jefferson explained Wythe's reasons: "Mr. Wythe has abandoned the college of Wm. & Mary, disgusted with some of the conduct of the professors, and particularly of the ex-professor Bracken, and perhaps too with himself for having suffered himself to be too much irritated with that." ([Jefferson 1789](#); [I. E. Brown 1981](#), p. 223; [Wythepedia 2025b](#)). Wythe's integrity, the virtue that equipped him to become the nation's great teacher, ultimately caused him to leave the profession of teaching. He could not consciously abide by the institution's dicta as it increasingly strayed from its 1779 foundation of promoting patriotic civic education in a republican context of self-government under law. Jefferson foresaw that "the visitors will try to condemn what gave him offence and press him to return; otherwise it is over with the college." ([Jefferson 1789](#)).

Despite efforts to retain him, "the William and Mary Board of Visitors was unable to change Wythe's mind, so the law professor's resignation was reluctantly accepted; at the same time the school conferred on Wythe an honorary Doctor of Laws degree." ([Tyler 1915](#), p. 71). This departure represented a significant loss for the university, particularly because it abandoned the civic dimension that Wythe introduced and cultivated. Joseph C. Cabell complained in an 1801 letter that "You may remember that a notion formerly prevailed here that a student of law should make the study of his profession subservient to that of politics. This opinion however seems not to prevail here." ([Cullen 1979](#), p. 668).

7. Wythe's Boys

Despite Wythe's short tenure at William and Mary, the formal legal changes that supported continued civic education at William and Mary remained in place. And it might be said that Wythe's first civic institution persisted *informally*: he continued to teach young men, and his teaching defined the nation, including its laws and institutions. The full scope of George Wythe's importance to America's moral, political, and educational revolution defies comprehensive treatment, as Jefferson alluded to Sanderson. His contributions were simply too great, his students too numerous, and their effect on the republic too profound to capture entirely and succinctly. Yet, examining the trajectories of his most prominent pupils reveals how Wythe understood civic education as essential preparation for republican self-government, and how his vision succeeded. Wythe understood that free government depends on moral education to produce citizens of good character who are capable of deliberation, reflection, reason, and choice. In short, he understood that the nation needed individuals capable of self-government if it were to survive.

7.1. *The Founding's Father*

Thus, Wythe educated the author of the Declaration of Independence. Thomas Jefferson, Wythe's first known student, offers the clearest window into his mentor's pedagogy. Jefferson began his legal apprenticeship with Wythe when he left William & Mary. He spent three years with the man he would call his "second father." (I. E. Brown 1981, p. 226; Carrington 1990, p. 533). Jefferson's lessons extended far beyond matters of law. Though Jefferson dutifully studied Coke on Littleton and purchased volumes on pleading and statutory law, Wythe also directed him toward works on history, literature, philosophy, religion, and science. Jefferson later advised aspiring lawyers to study science, ethics, and religion before breakfast, devote morning hours to law, and spend afternoons and evenings on history and literature, the same schedule that Wythe suggested for his pupil. This routine reflected Wythe's conviction that Americans needed a liberal education to become good men and good citizens in a free republic. The Jefferson–Wythe relationship transcended professional training. Wythe said that Jefferson was "dearer to him than any relation he had." (Boyd 1955, p. 24).

Wythe taught the "father of the Constitution" and his cousin. Rev. James Madison followed Jefferson as Wythe's student from 1772 to 1773 (Dill 1979, p. 42). He was ordained in the Church of England, served as President of William & Mary from 1777 until his death, and became the first Episcopal Bishop of the Diocese of Virginia in 1790. As for future President Madison, it has been speculated that Wythe informally extended the education that he began at Princeton under Witherspoon (Griswold 1855, pp. 67–69, 74–75).

Wythe educated Americans who were born in the wrong place. St. George Tucker came from Bermuda specifically to study under Wythe from 1773 to 1775. His father, learning of Wythe's instruction, insisted that Tucker remain in Williamsburg with "so good a tutor" rather than continue his formal enrollment at the esteemed Inner Temple in London (Swindler 1967, p. 6). Tucker later succeeded Wythe as Professor of Law and Police at William & Mary, served on the Virginia Court of Appeals and as United States Judge for the District of Virginia, and edited the first American edition of Blackstone's Commentaries (Swindler 1967, p. 6; Dill 1979, p. 42; Cullen 1979).

Wythe molded the most prominent Supreme Court Justices and attorneys of the founding generation. John Marshall attended Wythe's lectures in 1780. Bushrod Washington, George Washington's nephew, graduated from William & Mary in 1778 and returned in early 1780 to attend Wythe's lectures. Washington continued his education by apprenticing in James Wilson's Philadelphia law office due to Wythe's introduction. Bushrod served on the Supreme Court for three decades until his death in 1829. Edmund Randolph, the first Attorney General of the United States, Governor of Virginia, and United States Secretary of State, may have studied under Wythe, though this remains unconfirmed and disputed.

Wythe educated Abraham Lincoln's "beaux ideal of a statesman": Henry Clay (Lincoln 1858, vol. 3, p. 29). Clay joined Wythe as an amanuensis at age 15. Robert Remini notes, "the chancellor's society and assistance became an extended seminar in the law, the classics, literature, history, and social refinement and grace." (Remini 1991, p. 10; Wythepedia 2025c). In 1851, Clay vividly explained this extended seminar: "I remember that it cost me a great deal of labor, not understanding a single Greek Character, to write some citations from Greek authors, which he wished inserted into copies of his reports sent to Mr. Jefferson, Mr. Samuel Adams of Boston, and to one or two other persons." (Maxwell 1852). Clay reflected that he enjoyed "listening to his readings of Homer's Iliad and other Greek authors, so beautifully did he pronounce the language." (Maxwell 1852). When the Kentuckian spoke before the Virginia Assembly for the first time in his life, he began with praise for Wythe: both he and Virginia were "aided by that illustrious man [George Wythe] who, to the stern virtues of Cato united the justice of Aristides—to whom, he hoped he should be excused,

for making this public acknowledgment of his gratitude for his generous patronage of him, extended when he was an orphan, bereft alike of paternal and pecuniary assistance, and to whose memory he begged permission to pay the poor tribute of his highest veneration.” ([Richmond Enquirer 1822](#), p. 3; [Hopkins 2015](#), pp. 161, 170).

Wythe indiscriminately extended education to the high and to the low: he educated boys, statesmen, slaves, and freedmen. When Wythe took in and educated William Munford, a future Virginia statesman, at the age of twelve, Munford wrote “you cannot perfectly comprehend the divine virtues of Mr. Wythe without living in his house. His heart is a receptacle of all that Heaven can bestow on a human being, and his philanthropy is universal.” ([Munson 2018](#), p. 177). Munford observed, “Would you believe it, he has begun to teach Jimmy, his servant to write? Nevertheless, it is true, and is only one more example of that benignity, granted by heaven to the minds of a few.” ([Munson 2018](#), p. 177; [Wythepedia 2025a](#)). After educating Jimmy, Wythe released him from bondage in 1797. Later, in his own home, Wythe welcomed and taught Michael Brown, a mixed-race boy and freed slave. ([Munson 2018](#), p. 177).

7.2. Wythe and the Issue of Slavery

Though Wythe owned slaves, and he lived in a state that held many slaves within its borders, he understood and admitted that slavery was a moral evil contrary to natural rights. In education he saw the means for his state and his country to rise above slavery; thus, he taught freedmen and his own slaves, and he taught his students to deprecate and fight against the spread of slavery. Ultimately, before his death, Wythe manumitted each of his slaves. In 1806, Wythe changed his will to provide a portion of his estate to Michael Brown, the freed slave mentioned above. He also left parts of his estate to Lydia Broadnax, a former slave, and Benjamin, another of his former slaves.

Because of Wythe’s views, William & Mary became the college in the American South where anti-slavery arguments were welcomed, expressed, and considered. Thomas Jefferson told Richard Price that “The college of William & Mary in Williamsburg, since the remodelling of it’s plan, is the place where are collected together all the young men of Virginia under preparation for public life” and that Price may speak and convince them of the evil of slavery ([Jefferson 1785](#), pp. 356–57). He thought that the college would be a proper venue because the university was “Under the direction of a Mr. Wythe one of the most virtuous of characters, and whose sentiments on the subject of slavery are unequivocal” ([Jefferson 1785](#), pp. 356–57).

What were Wythe’s “unequivocal” sentiments on slavery? He believed that “there was no natural inferiority of intellect in the negro, compared with the white man” ([Kennedy 1850](#), p. 141). He believed that Blacks were equal by nature, and thus deserving of the equal natural rights of life, liberty, and the pursuit of happiness, despite the conventional difficulties of paving a path for freedom and manumission. Benjamin Watkins Leigh argued that “Mr. Wythe, to the day of his death, was for simple abolition”; that is, abolition alongside freedom without deportation, removal, or condition ([Leigh 1832](#), p. 43). Yet, Wythe saw education as a necessary part of providing freedmen with full freedom: he educated freedmen and slaves because he thought that education was a necessary preparation for freedom. This was true of White Americans seeking independence and for slaves striving for manumission and recognition of their natural rights.

Wythe not only sought to combat slavery at the college, but later in his life, through the law. When he was Chancellor, Wythe heard cases that involved the transfer of slaves as a type of property. Two important cases shed light on Wythe’s beliefs with respect to slavery, natural rights, and property. From his judgment in those cases, it is evident that Wythe understood Blacks as possessing inherent rights by nature, rather than understanding them

as a kind of property. His decisions sought to force the government of Virginia into the same philosophical and political view. In *Pleasants v. Pleasants* and *Hudgins v. Wrights*, Wythe made the rare decision to include his personal opinion and philosophy regarding the slave's natural right to freedom.

In *Pleasants*, Wythe interpreted John Pleasant's will, which dictated that his slaves be manumitted upon his death. The legal system considered the question of whether Pleasants could legally provide his slaves with freedom. Wythe considered the restoration of freedom to the slave a "restitution of a right, of which they could not have been deprived without violation of equitable constitutional principles." The case ultimately led to the manumission of over 800 slaves and Wythe argued that they should be paid for their wrongful enslavement while the judicial system deprived them of the natural right to freedom during the adjudication of the case.

In *Hudgins v. Wrights*, Wythe used the Virginia Declaration of Rights as a standard against which slavery could not stand. He wrote that "that freedom is the birthright of every human being, which sentiment is strongly inculcated by the first article of our 'political catechism,' the bill of rights". Ultimately, the Court of Appeals confirmed Wythe's result in the case, but rejected his reasoning that freedom was the birthright of all people, including slaves.

In addition to his personal views and his legal opinions, Wythe's philosophy influenced the law through the conduct of his students. Henry Clay, like his mentor, believed that educating his slaves was essential to prepare them for freedom: Kentucky became the only state in the South that did not forbid slave literacy prior to the Civil War. At the outset of Clay's career in Kentucky, directly following his time with George Wythe, he advocated that Kentucky include a plan for gradual emancipation within the Kentucky Constitution. Another Wythe student, John Minor III, proposed two bills in the Virginia legislature providing a program for gradual emancipation within the state, but both failed.

Though Wythe sought to combat slavery throughout his career, his great influence could not overcome the peculiar institution. Wythe was ultimately poisoned as a result of his decision to free his slaves and include them in his last will and testament. Scholars debate whether he was poisoned by a relative who disagreed with his decision to free his slaves, or by a former slave whom he freed. Though Wythe's moral and political opinion on slavery was unequivocal, his life, death, and struggle to free his slaves foreshadow the tremendous difficulty of establishing a peaceful and successful plan for personal manumission and political abolition after slavery had spread and taken root in the American South. Despite this tremendous difficulty, Wythe never relented in his position that slavery was a moral evil and a political stain on the country's foundational moral philosophy that must be eradicated, no matter the cost.

7.3. Classical Education for Modern Politics

Wythe's student network arguably comprised America's first civics institute, with its ongoing constitutive influence on the early American republic's law and institutions; yet, Wythe's teaching extended beyond law to the classical languages that formed the foundation of educated citizenship. Twelve-year-old Littleton Waller Tazewell, future U.S. Senator, became Wythe's pupil in 1786 (I. E. Brown 1981, p. 220). He recalled attending Wythe's tutoring "every morning very early, and always found him waiting for me in his study by sunrise." (I. E. Brown 1981, p. 220). Wythe would select a Greek text at random and direct Tazewell to recite the first passage that caught his eye. Without lexicon or grammar, Tazewell had to work through the text with Wythe's guidance. When encountering references to ancient manners, customs, laws, or history, Wythe would ask Tazewell to explain the significance. When the Tazewell failed, Wythe "immediately gave full clear

and complete account of the subject,” and then instructed Tazewell to remind him the next day so “we might then learn from some better source, whether his explanation was correct or not.” (Swindler 1967, pp. 10–11). Wythe tutored Tazewell in Greek from sunrise until breakfast and in Latin from noon until two p.m. Then they studied mathematics in the French language in the afternoon.

Peter Carr, Jefferson’s nephew, began studying law under Wythe in 1788. Carr reported to his uncle in Paris that he followed Wythe’s suggestion of “reading [law] two or three hours every day, and devoting the rest of my time to languages, history and Philosophy.” His daily routine involved rising “about day, and take a walk of half an hour to shake off sleep, read law till breakfast, then attend Mr. Wythe till 12 o’clock in the languages, read philosophy till dinner, history till night and poetry till bedtime.” (Carr 1788). Jefferson approved thoroughly, telling Carr, “I like well the distribution of your time mentioned in your letter . . . and the counsels of Mr. Wythe so kindly extended to you, leave it necessary for me to add nothing of that kind.” Carr “enjoy[ed] the advantage of Mr. Wythe’s valuable patronage and instructions,” reading Herodotus, Sophocles, Cicero, Horace, and Lucretius in the original language under Wythe’s direction (Carr 1786).

Carr, perhaps like many students today, questioned whether this classical education would serve him in the new world. He wrote, “The mode of education which he pursues, and to which he is so much attached, is in a measure fallen into disuse, and for my own part I think not entirely without reason.” He asked, “Might not a great part of that time which he bestows on the dead languages, be better employed on the modern languages, natural history, and the Mathematics?” (Carr 1789). Despite these doubts, Carr acknowledged that Wythe “adds advice and lessons of morality, which are not only pleasing and instructive now, but will be (I hope) of real utility in the future.” (Clarkin 1970, pp. 157–58, 185). For Wythe, the classics provided moral formation as well as the intellectual rigor necessary for citizens in a republic, teaching them to think seriously and understand virtue, vice, and the fate of past republics.

8. Conclusions

Wythe understood that the American experiment in republican self-government would succeed or fail based on the character and capacity of its citizens. Wythe understood that character and the proper education were the necessary foundation for the founding of America’s institutions, self-government, and law-making. Monarchy relies on the virtue of one, aristocracy on the virtue of a few, but a republic demands widespread civic virtue. Civic virtue must be cultivated; it cannot be inherited.

Wythe’s model of civic education, which cultivated student-statesmen, bore fruit. Wythe’s students drafted and ratified the Constitution, forged the character of American institutions, and preserved the Union through its gravest crises. They were able to do so not because they possessed special inherent talent, but because they received an education tailored to republican citizenship. Wythe performed a civic act as critical to the founding as the battles that revolutionary soldiers fought and as essential as the laws that his students would draft. Without citizen-statesmen capable of self-government, republican institutions are hollow forms. Wythe filled those forms with substance by teaching young Americans what it meant to be citizens of a free republic.

Wythe’s legacy poses a question that each generation of Americans must answer anew: Will we educate citizens equal to the demands of self-government? Republics do not fail because their institutions falter; rather, they fall when their citizens become incapable of self-government. Wythe understood this truth and devoted his life to its remedy. His students built, sustained, and saved the republic, and their contributions spanned every branch of it. The republic they built, sustained, and saved has endured—not because

Americans possess superior native virtue, nor because the Constitution is failsafe, but because civic education developed their moral character and capacity to reason through political disputes that threatened to destroy the Union. The American experiment continues only so long as each generation proves capable of Wythe's and his students' work.

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