

How Tea Partiers Diss the Framers

Exclusive: The Framers of the U.S. Constitution never looked smarter than when the American system of a strong central government is compared to the European Union model, a loose federation staggered by disunity. But the Tea Partiers want a states' rights structure more like Europe's, writes Robert Parry.

By Robert Parry

The chaos that is engulfing Europe, where 17 countries share a common currency (the euro) but lack a unified fiscal policy, underscores again the wisdom of America's Framers, who cast aside a states-rights-oriented system in favor of a strong central government, which ironically is now what the Tea Partiers want to dismantle.

The Tea Partiers, with their intense hatred of the federal "gub-mint" and their love of states' rights, fail to appreciate what the Framers actually achieved in 1787 and why they did it. If the Tea Partiers could think clearly, they might look at the crisis in Europe and come away with a deeper appreciation of Washington, both the capital and the Founder.

American unity, contrasted with Europe's disunity, also has helped keep U.S. borrowing rates low by again distinguishing the U.S. dollar as the world's preeminent currency. Some countries and cartels were thinking about switching to the euro, but now have rethought that idea. Foreign capital is surging into U.S. bond markets. The dollar again is king.

Though the Framers of the U.S. Constitution couldn't have anticipated this valuable gift that they passed down to their posterity, their insights into the weaknesses of the Articles of Confederation and the audacious decision by George Washington, James Madison and others to scrap that initial governing structure in 1787 have served the nation well.

The Articles of Confederation, which governed the United States from 1777 to 1787, emphasized the independence and sovereignty of the 13 original states. Because of that, the young nation lacked a common currency and states could renege on promised financial commitments to the weak central authority.

General Washington, in particular, despised this system because it often left his troops without desperately needed supplies and contributed to near mutinies. After the Revolutionary War ended, Washington also observed how the divisions among the 13 states slowed the country's economic development and invited commercial incursions by European powers.

So, when Madison, as a Virginia legislator, tried to amend the Articles of Confederation to give Congress the power to regulate interstate commerce, Washington lent his strong support:

“The proposition in my opinion is so self evident that I confess I am at a loss to discover wherein lies the weight of the objection to the measure. We are either a united people, or we are not. If the former, let us, in all matters of a general concern act as a nation, which have national objects to promote, and a national character to support. If we are not, let us no longer act a farce by pretending it to be.”

However, Madison’s amendment was rejected, leading him to an even more radical idea seeking a convention ostensibly to consider a series of amendments to the Articles but to which he brought an entirely new governing structure. Once the delegates got to Philadelphia, the doors were closed to the public and the Federalists proposed scrapping the Articles entirely.

Ditching the Articles

After a hot summer of debate and compromise, the new Constitution stripped out all language about the independence and sovereignty of the states and made federal law supreme. The Constitution gave the central government the power to print currency and inserted Madison’s commerce idea, granting Congress broad indeed unlimited powers to regulate interstate commerce.

The new federal powers were so sweeping that the Constitution stirred intense opposition from the Anti-Federalists who rallied to block ratification.

Dissidents from Pennsylvania’s convention delegation wrote: “We dissent because the powers vested in Congress by this constitution, must necessarily annihilate and absorb the legislative, executive, and judicial powers of the several states, and produce from their ruins one consolidated government.” [See David Wootton, *The Essential Federalist and Anti-Federalist Papers*.]

As resistance to Madison’s plan spread and as states began electing delegates to their ratifying conventions Madison feared that his constitutional masterwork would go down to defeat or be subjected to a second convention that might remove important federal powers like the Commerce Clause.

So, Madison with Alexander Hamilton and John Jay began a series of essays, called the Federalist Papers, to counter the fierce (though generally accurate) attacks by the Anti-Federalists against the Constitution’s broad assertion of federal power.

Madison’s essays in the Federalist Papers veered from a spirited defense of the

new system's advantages to a lawyerly downplaying of how drastic the changes were. In Federalist Paper No. 14, Madison envisioned major construction projects under the powers granted by the Commerce Clause.

"[T]he union will be daily facilitated by new improvements," Madison wrote. "Roads will everywhere be shortened, and kept in better order; accommodations for travelers will be multiplied and meliorated; an interior navigation on our eastern side will be opened throughout, or nearly throughout the whole extent of the Thirteen States.

"The communication between the western and Atlantic districts, and between different parts of each, will be rendered more and more easy by those numerous canals with which the beneficence of nature has intersected our country, and which art finds it so little difficult to connect and complete."

The building of canals, as an argument in support of the Commerce Clause and the Constitution, further reflected the commercial desires of key Founders. In 1785, two years before the Constitutional Convention, George Washington started the Potowmack Company, which began the work of digging canals to extend navigable waterways westward where he and other Founders had invested in Ohio and other undeveloped lands.

Thus, the idea of involving the central government in major economic projects a government-business partnership to create jobs and profits was there from the beginning. Madison, Washington and other early American leaders saw the Constitution as creating a dynamic system so the young country could grow and overcome the daunting challenges of its vast territory.

Finessing Opposition

At other points in the Federalist Papers, Madison insisted that except for the Commerce Clause most of the other changes simply enhanced pre-existing federal powers rather than creating entirely new ones.

In Federalist Paper No. 45, Madison wrote: "If the new Constitution be examined with accuracy, it will be found that the change which it proposes consists much less in the addition of NEW POWERS to the Union, than in the invigoration of its ORIGINAL POWERS."

Madison noted: "The regulation of commerce, it is true, is a new power; but that seems to be an addition which few oppose, and from which no apprehensions are entertained."

Today's Tea Partiers often cite Madison's comments in No. 45 to portray him as a fellow traveler, someone who opposed a strong central government. They claim

he was really an advocate for states' rights.

But that is simply taking Madison's words out of the context. In No. 45, he was simply trying to finesse his Anti-Federalist opponents. Yet, even in playing down what he was doing in the Constitution, Madison acknowledged that he was beefing up of federal powers.

Indeed, the Constitution flipped the relationship between the states and the central government. Under the Articles of Confederation, the states were supreme; under the Constitution, the federal government was dominant.

Yet, by creating a bogus founding narrative, Tea Partiers and the American Right have confused many Americans about the historical reality. Some of the billions of dollars in right-wing propaganda money have spilled into the pockets of "scholars" who have given a shine to the historical revisionism that transformed Madison and other key Framers into anti-government ideologues.

Whenever these right-wingers discuss the Founders, the narrative jumps from the Declaration of Independence to the U.S. Constitution, skipping over the Articles of Confederation. By ignoring the Articles, they can hide what Madison, Washington and the Framers were doing – ridding the country of a dysfunctional states-rights system.

The Tea Partiers also make a big deal about the Tenth Amendment to the Constitution, which states: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

However, again the Tea Partiers miss the point. The Constitution had already granted broad powers to the federal government, so the Tenth Amendment was just part of the effort to salvage the Constitution's ratification, more a sop to the Anti-Federalists than anything substantive.

Some Tea Partiers have challenged the Affordable Care Act as a violation of the Tenth Amendment, without seeming to understand that the law was passed under one of the Constitution's "enumerated powers," the Commerce Clause, which grants unlimited authority to Congress to regulate interstate commerce.

Founding Pragmatism

But the true wisdom of the Framers may have been their pragmatic recognition that a dynamic central government was essential to make a nation as territorially large and as ethnically diverse as the United States work even in the 18th Century.

Madison, Washington and the other Federalists understood that their hard-won independence could only succeed if the new nation presented a unified front to the more powerful nations of Europe, which were still eager to divide America and pick off territory in the New World.

Two centuries later, the Framers' vision has been vindicated again by the contrast to what is happening in Europe. Despite heightened hostility toward the U.S. government from the Tea Partiers and other states' rights advocates, the United States still has the capability to address its economic troubles through federal action. Thus, the dollar is not facing the crisis that now confronts the euro.

The 17 nations using the euro and the 27 nations in the larger European Union are caught in a monetary trap attributable to the fact that the member countries have followed different economic strategies based on their own sovereignties. Only very limited powers have been ceded to federal authorities in Brussels and a unified budgetary policy is not one of them.

Thus, Europe has been forced to confront its fiscal crisis in an ad hoc manner, insisting that countries like Greece that have demonstrated fiscal irresponsibility by spending beyond their means and failing to collect taxes efficiently must adopt severe austerity measures. But the austerity has only made the economic crisis worse.

Even in the face of this emergency, the European Union has been hobbled by a crippling dissension among its members, leaving effective countermeasures out of reach for the Continent. Some European leaders have warned that only two options remain: greater unity or the eventual splintering of the euro zone, with Greece possibly the first to go.

Though the unity course might make the most sense, it inevitably will encounter historic issues of national sovereignty. Unlike the American states in 1787, which had only recently come into existence as sovereign entities and which had recently banded together to fight a war for independence, many European states have existed as national entities for centuries; they speak different languages; and they have often warred against each other.

In other words, as hard as it was for Madison and Washington to persuade the 13 original states to surrender sovereignty and independence to the central government, it is sure to be an even harder sell among Europeans. Nevertheless, as long as Europe operates within a loose federalism, it will be at a disadvantage to the United States.

Structurally, at least, the U.S. system allows for the kind of unified action

that will be needed to build a stronger recovery and confront future problems. The American dilemma, which forced a credit downgrade last summer, is the extreme partisanship and hard-line ideology of the current Republican Party and the Tea Party.

The Tea Partiers continue to advocate a looser union of the United States, restricting the federal government mostly to national security and leaving pretty much everything else to the states, local governments and “the market.”

In other words, the Tea Partiers are dissing the constitutional vision of the Framers – the likes of Madison and Washington – who understood that a strong central government was necessary for a strong country.

To read more of Robert Parry’s writings, you can now order his last two books, *Secrecy & Privilege* and *Neck Deep*, at the discount price of only \$16 for both. For details on the special offer, [click here.](#)]

Robert Parry broke many of the Iran-Contra stories in the 1980s for the Associated Press and Newsweek. His latest book, *Neck Deep: The Disastrous Presidency of George W. Bush*, was written with two of his sons, Sam and Nat, and can be ordered at neckdeepbook.com. His two previous books, *Secrecy & Privilege: The Rise of the Bush Dynasty from Watergate to Iraq* and *Lost History: Contras, Cocaine, the Press & ‘Project Truth’* are also available there.
