

# How False History Props Up the Right

**Exclusive:** The Right's policy nostrums are failing across the board from free-market extremism to austerity as a cure for recession to continuing the old health-care dysfunction leaving only an ideological faith that this is what the Framers wanted. But that right-wing "history" is just one more illusion, writes Robert Parry.

By Robert Parry

There is a logical way to think about governance one that was shared by the key Framers of the U.S. Constitution that the federal government should have sufficient authority to do what is necessary to fulfill the goals that the document laid out about promoting the general welfare and protecting the nation.

Put differently, the actual "originalist" thinking behind the Constitution was what might be called "pragmatic nationalism," not what today's Right tries to pretend it was, an ideological commitment to a tightly constrained federal government hemmed in by a strong system of "states' rights."

Indeed, the "original" thinking behind the Constitution was almost the opposite of the right-wing canard. The key Framers George Washington, James Madison, Alexander Hamilton and Gouverneur Morris (who authored the famous Preamble) all believed that a vibrant federal government was needed to control the squabbling states which had pushed the new country to the brink of disaster under the Articles of Confederation.

In other words, the Right's modern interpretation of the Founding Principles was not shared by the key Framers of the Constitution. Instead, the Right's position on the Constitution apes *the opposition* to the Constitution by the Anti-Federalists, who warned that the new federal structure would subordinate the states to the central government and endanger slavery in the South.

Despite that real history, today's Right has largely succeeded in distorting the Founding Narrative to convince millions of lightly educated Americans that by joining with the Tea Party they are defending the Constitution as the Framers devised it when, in reality, they are channeling the views of those who fiercely *opposed* the Constitution.

This historical issue is important because as the empirical case for "small government" ideology collapses amid failures of "supply-side economics," austerity in the face of recession, "free-market" extremism that let the banks run wild, anti-scientific stances denying global warming, etc. all the right-

wingers have left is this claim they are upholding the Framers' original vision, an emotional tug on many Tea Partiers who dress up in Revolutionary War costumes and unfurl yellow flags with a coiled snake saying: "Don't Tread on Me."

Yet, the reality is that key drafters of the Constitution were staunch advocates of a strong central government invested with all the necessary powers to build a young nation and to protect its hard-won independence. Article One, Section Eight authorized a series of powers, including to "provide for the common Defense and general Welfare of the United States" and "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers."

In Federalist Paper 44, Madison expounded on what has become known as the "elastic clause," writing: "No axiom is more clearly established in law, or in reason, than that wherever the power to do a thing is given, every particular power necessary for doing it, is included."

At the time of the Constitutional Convention, Madison favored even a greater concentration of power in the central government, wanting to give Congress the authority to veto state laws, a proposal that was watered-down into declaring federal statutes the supreme law of the land and giving federal courts the power to judge state laws unconstitutional.

### **'They'll Free Your Niggers!'**

So, today's Tea Partiers, "libertarians" and the Republican Right are not so much descendants of the Framers as they are heirs to the Anti-Federalists who tried to strangle the U.S. Constitution in its cradle. And a principal motive for this fierce opposition was a desire to protect slavery.

Led by pro-slavery Southerners like Patrick Henry and George Mason, the Anti-Federalists warned that the Constitution would concentrate so much power in the federal government that it would lead inexorably to the eradication of slavery.

In battling the Constitution's ratification in 1788, Patrick Henry warned his fellow Virginians that if they approved the Constitution, it would put their massive capital investment in slaves in jeopardy. Imagining the possibility of a federal tax on slaveholding, Henry declared, "They'll free your niggers!"

It is a testament to how we have whitewashed U.S. history on the evils of slavery that Patrick Henry is far better known for his declaration before the Revolution, "Give me liberty or give me death!" than his equally pithy warning, "They'll free your niggers!"

Similarly, George Mason, Henry's collaborator in trying to scare Virginia's slaveholders into opposing the Constitution, is recalled as an instigator of the

Bill of Rights, rather than as a defender of slavery. A key “freedom” that Henry and Mason fretted about was the “freedom” of plantation owners to possess other human beings as property.

As historians Andrew Burstein and Nancy Isenberg wrote in their 2010 book, *Madison and Jefferson*, the hot button for Henry and Mason was that “slavery, the source of Virginia’s tremendous wealth, lay politically unprotected.” Besides the worry about how the federal government might tax slave-ownership, there was the fear that the President as the nation’s commander in chief under the new Constitution might “federalize” the state militias and emancipate the slaves.

“Mason repeated what he had said during the Constitutional Convention: that the new government failed to provide for ‘domestic safety’ if there was no explicit protection for Virginians’ slave property,” Burstein and Isenberg wrote. “Henry called up the by-now-ingrained fear of slave insurrections the direct result, he believed, of Virginia’s loss of authority over its own militia.”

Madison, a protégé of General Washington and a staunch Federalist at the time, sought to finesse the argument by noting that the Constitution’s drafters in 1787 had capitulated to the South’s insistence on its institution of human enslavement. Though Henry and Mason struck a chord with their slavery-is-in-jeopardy argument, Madison ultimately carried the day, albeit narrowly with Virginia’s convention approving the Constitution on an 89-to-79 vote.

But the Anti-Federalists didn’t disappear. Instead, they organized as a political force to harass, deplete and ultimately destroy the Federalists.

### **The Rise of Jefferson**

In another parallel between the modern Right and the Constitution’s opponents, the Anti-Federalists in the South “posed as plucky populists, even though their ranks included many rich slaveholders,” as historian Ron Chernow noted in his 2004 biography of Alexander Hamilton.

These days, “small-government” conservatives also pose as “plucky populists” though they are funded and promoted by self-interested billionaires like the Koch Brothers and Rupert Murdoch. In both movements, there also has been an undercurrent of racism, pro-slavery then and hostility to the nation’s demographic changes – and African-American president – now.

What the Anti-Federalists needed after their defeat in 1788 was a charismatic leader and they found him when Thomas Jefferson returned from France in 1789. A critic of the Constitution but not an outright opponent, Jefferson couched his resistance to a strong central government in his desire to keep the United States an agriculturally based society with states allowed to nix federal

policies if they wished.

Appointed by President George Washington as Secretary of State, Jefferson was quickly at loggerheads with Treasury Secretary Alexander Hamilton who moved energetically to create the framework for an effective federal government that could collect taxes, pay its bills, establish credit and encourage the development of American industries.

Like Washington, Hamilton had experienced through his service in the Continental Army the chaos of the Articles of Confederation and the failure of states to meet their financial commitments to support soldiers in the field.

Born out of wedlock in the West Indies, Hamilton's early life was one of Dickensian deprivation. Abandoned by his father and losing his mother to illness, the self-taught teen-age Hamilton scratched his way to some success working for a merchant and excelling as a writer. His talents were such that community leaders sent him to school in New York as a charity case.

Amid the rising turmoil of revolutionary America, Hamilton distinguished himself as a passionate advocate for independence and when war broke out recruited his college classmates into an artillery unit that performed bravely in the battles around New York. Hamilton's courage and skills brought him to General Washington's attention, and the French-speaking Hamilton soon became the Commander-in-Chief's indispensable aide-de-camp.

Though Lt. Col. Hamilton represented General Washington in high-level contacts with French commanders and American generals, the young officer remained eager to prove himself on the battlefield. Eventually, he convinced Washington to give him a military command and he led the American bayonet charge against the final British redoubt at the battle of Yorktown in 1781.

### **The First Americans**

So, like Washington, Hamilton had developed a uniquely American perspective on the young country, having fought across much of its territory with other young men from various states and backgrounds.

As Chernow wrote in *Alexander Hamilton*: "People continued to identify their states as their 'countries,' and most outside the military had never traveled more than a day's journey from their homes. But the Revolution itself, especially the Continental Army, had been a potent instrument for fusing the states together and forging an American character.

"Speaking of the effect that the fighting had on him, John Marshall probably spoke for many soldiers when he said, 'I was confirmed in the habit of

considering America as my country and Congress as my government.' During the war, a sense of national unity seeped imperceptibly into the minds of many American diplomats, administrators, congressmen, and, above all, the nucleus of officers gathered around Washington."

Washington and Hamilton were among the military veterans who understood, viscerally, the failings of the Articles of Confederation in which "sovereignty" and "independence" were bestowed on the 13 states, causing them to look to their own needs, not those of the country.

As the 1780s wore on even after Great Britain recognized U.S. independence in 1783 the grand experiment in overthrowing a King's dominion and establishing a Republic was in grave danger from the lack of a strong national government.

While Washington and Hamilton grasped this problem, Jefferson, who had returned to Virginia after his work drafting the Declaration of Independence in 1776, continued to view his state as his country. He also avoided any actual fighting for independence, fleeing rather than rallying Virginians to defend Richmond (when it was attacked by a Loyalist army led by Benedict Arnold) and then Charlottesville and Monticello (when they were threatened by the cavalry of Banastre Tarleton).

Jefferson, the coddled son of a wealthy plantation owner, preferred a philosophic or romantic view of revolution, never fully confronting its human horrors and practical challenges. His experience representing the United States in France were marked by both his lavish lifestyle at the fringes of Louis XVI's court and a blind enthusiasm for the bloody French Revolution.

Neither did he see the realities of America very clearly as he toyed with a vision of a bucolic land of industrious small farmers, somehow blotting out the reality around him of large plantations worked by slaves whose hard labor made possible the comfortable life of Southern gentry and Jefferson's addiction to luxuries.

As Washington, Hamilton and other Founders contemplated a strong central government, Jefferson mused about whether a national Congress was needed at all. So, his clash with Hamilton carried something of an historical inevitability about it.

### **Clash over Slavery**

The two men differed profoundly over slavery. Having grown up poor on sugar islands of the Caribbean, Hamilton knew and despised slavery. He respected the humanity of African slaves whom he had seen literally worked to death or executed for any signs of resistance.

As Chernow wrote, Hamilton “had expressed an unwavering belief in the genetic equality of blacks and whites unlike Jefferson, for instance, who regarded blacks as innately inferior.” Indeed, Hamilton may have been the most dedicated abolitionist among the Founders, even more consistently hostile to slavery than were John Adams and Benjamin Franklin.

By contrast, Jefferson delved into the pseudo-science of assessing the physiological and mental traits of his black slaves to “prove” their inferiority. He also could not tolerate the idea of free blacks living alongside whites in America. By contrast, Hamilton not only considered blacks equal to whites but advocated on behalf of their right to live free in America.

In short, Jefferson was a mass of often ugly contradictions, declaring “all Men are created equal” while insisting that blacks were not; advocating a strictly “limited” federal government as a guarantee of “liberty” while staying silent about how that prescription fit neatly with the desire of his fellow plantation owners to maintain slavery; rejecting the tyranny of government power while making apologies for the mass executions by France’s revolutionary government.

Yet, while Jefferson surely was a hypocrite, he was, without doubt, a political genius. After Jefferson wore out his welcome with President Washington through back-biting attacks on Hamilton, Jefferson left Washington’s three-member Cabinet (Henry Knox was Secretary of War) and began fashioning the first American political party.

Backed by wealthy Southern plantation owners and supported by some opportunistic Northern politicians (like Aaron Burr), Jefferson not only forged his “Republicans” into a potent opposition to the Federalists but devised a system of sophisticated propaganda, including secretly financing newspaper editors to gin up “scandals” to be pinned on Hamilton and the Federalists.

Jefferson also understood the value of personal mythmaking, presenting himself as a humble philosopher who preferred designing Monticello or the Virginian Statehouse over the dirty business of politics. Though he had dressed and behaved like a dandy in Paris, Jefferson attired himself modestly after returning to America, the down-to-earth republican.

As Hamilton and the Federalists muted their opposition to slavery out of concern that the issue could shatter the new constitutional structure, Jefferson and the slaveholders took advantage of that relative silence to depict Washington’s administration and its efforts to put the country on a solid financial footing as favoring economic elites.

As Chernow wrote, “The most damning and hypocritical aristocratic economic

system emanated from the most aristocratic southern slaveholders, who deflected attention from their own nefarious deeds by posing as populist champions and assailing the northern financial and mercantile interests aligned with Hamilton.”

So, Jefferson and his Southern-dominated political faction won the image battle. Jefferson and the plantation owners despite possessing human chattel were the embattled little guys while the abolitionist Hamilton and his merchant political base were the anti-democratic elitists.

### **Conspiracy Theories**

In a distant echo of today’s Republican conspiracy theories about President Barack Obama, Jefferson and his political allies accused Hamilton and the Federalists of harboring secret sympathies for Great Britain and designs on replacing the Constitution with a monarchy even though Hamilton had done more than almost anyone to win ratification, including organizing the Federalist Papers to sell the new structure to a skeptical public.

Despite President Washington’s warning against “factions,” Jefferson and his supporters pressed ahead gleefully poisoning the political atmosphere of the young nation and prompting Hamilton and his side to strike back in kind. Eventually, after building a bureaucratic structure that put the nation’s finances on a firm footing, Hamilton begged Washington for his leave once again and retired to his New York law practice in 1795.

Amid all this partisan acrimony, President Washington and then President John Adams struggled to maneuver the country through a narrow channel to avoid war with Great Britain and then France. With the prospect of war looming, President Adams lured Washington back into government to create a professional military. In turn, Washington insisted that his old aide-de-camp Hamilton be made second-in-command and given the prime day-to-day responsibilities.

But Hamilton’s work establishing an effective military only fed the paranoia of the Jeffersonians about how Hamilton might deploy the Army, possibly fulfilling Patrick Henry’s prophesy that the federal government would overturn slavery. The Federalists also made major mistakes including enactment of the Alien and Sedition Acts, which were aimed at maintaining American neutrality and silencing some of the most belligerent voices, particularly the Jeffersonians who favored siding with France in a European war.

Though Jefferson had been elected Vice President under Adams – by earning the second largest number of votes in 1796 – he secretly conspired against the President’s policies, devising the states’ rights theories of “nullification”

and even "secession" while encouraging his paid newspaper editors to savage Adams's character.

In the early years under the Constitution, Jefferson also drew his Virginian neighbor James Madison into the Jeffersonian camp. As he sought to make a political career amid his fellow slaveholding Virginians, Madison broke with his old allies, Washington and Hamilton.

Madison renounced many of his former pro-federalist positions, joining Jefferson in such unconstitutional theories as "nullification," the supposed right of a state to reject federal law the opposite position from where Madison had stood during the Constitutional Convention.

### **Federalist Crack-up**

With Hamilton facing intense personal attacks and with Washington's death in 1799, Federalist unity began to crack. The curmudgeonly President Adams was estranged from Vice President Jefferson, but he also disliked Hamilton and disapproved of his modern theories about banking and industry.

In 1800, running with New Yorker Aaron Burr, Jefferson was able to snatch the presidency away from Adams although ironically Jefferson's winning margin was created by the Constitution's "Three-Fifths Clause," which allowed the South to count black slaves as three-fifths of a person for the purpose of representation.

As the third U.S. President, the clever Jefferson solidified his myth as a simple republican, getting rid of a gilded carriage that Adams had bought, sometimes answering the door at the White House himself, and shuffling around in slippers.

On the supposed strict-constructionist principles of republicanism, however, Jefferson behaved more like an imperial president. Though he had disparaged Hamilton's efforts to build a professional military, Jefferson dispatched Navy ships to attack the Barbary pirates without first seeking congressional approval.

Jefferson's supposed commitment to a view of the Constitution as limited to the specific powers enumerated in Article One, Section Eight also was cast aside in 1803 when Napoleon offered to sell the Louisiana Territories to the United States. Though the Constitution had no provision for such a purchase, Jefferson and Secretary of State Madison suddenly found new merit in the Constitution's elastic "necessary and proper" clause.

Jefferson also encouraged selective persecution of troublesome newspaper editors



and he dealt harshly with his political rivals. Even out of office, Hamilton remained a *bête noire* to the Jeffersonians, the target of frequent personal attacks. In 1804, Vice President Burr challenged Hamilton to a duel and though Hamilton had declared he would not fire on Burr Burr took aim and killed Hamilton, who was only 49.

With Washington and Hamilton gone, the Federalists slid toward irrelevance, even as their earlier structuring of the U.S. government and its financial system kept the nation prosperous. Further marginalizing the Federalists, Jefferson continued to solidify his political movement, ensuring 24 consecutive years of Virginian control of the White House, with Jefferson followed by James Madison and James Monroe.

The Louisiana Territories also opened up more agricultural land and thus the need for more slaves. The Federalists shrank into a narrow regional party in New England and eventually disappeared, their abolitionist principles and pro-government attitudes suppressed for decades.

With his skill at wrapping the interests of fellow slaveholders in high-blown republican rhetoric, Jefferson more than any Founder put the United States on course for the Civil War. Yet, even today, as more is learned about Jefferson's racism and his gross hypocrisy (including apparently taking slave girl Sally Hemings as a concubine), he is held in high historical regard (including by some progressives who admire his words while ignoring his deeds). [See Consortiumnews.com's ["Rethinking Thomas Jefferson."](#)]

Jefferson is an icon to today's Tea Party and to "libertarians," who have embraced the post-Constitution version of Madison, too. By hailing these Founders in particular though Patrick Henry and George Mason also make the Liberty Hall of Fame the modern Right gives the concepts of "states' rights" and "strict construction" a gloss of constitutional legitimacy. Conservatives brush aside the fact that the actual Framers, including the earlier Madison, rejected this view. [For details, see Consortiumnews.com's ["The Right's Dubious Claim to Madison."](#)]

Why this history is particularly relevant today is that, while the Right's mythological Constitution may be an historical fiction, it still dominates the imaginations of many Americans. Thus, even as the Right's policy prescriptions fail in providing for "the general Welfare" from free-market extremism to austerity in the face of recession to letting 30 million Americans suffer without health insurance the Tea Partiers are convinced they are doing what's right because it is what the Framers enshrined in the Founding Document.

If that misconception is shaken, the Right will have nothing left to sell the

American people, except perhaps bigotry and nihilism.

Investigative reporter Robert Parry broke many of the Iran-Contra stories for The Associated Press and Newsweek in the 1980s. You can buy his new book, *America's Stolen Narrative*, either in [print here](#) or as an e-book (from [Amazon](#) and [barnesandnoble.com](#)). For a limited time, you also can order Robert Parry's trilogy on the Bush Family and its connections to various right-wing operatives for only \$34. The trilogy includes *America's Stolen Narrative*. For details on this offer, [click here](#).

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