

Ward Morehouse Letter to the Editor

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To the Editor:

Mary Beth Norton's Op Ed column, "The Founders and the Fedayeen" (July 19) is right on in its challenge to Donald Rumsfeld's distorted view of America under the Articles of Confederation in the 1780's. But she misses a crucial point when she describes the Constitution, which replaced the Articles, as directed toward correcting the notable lack of national authority over commerce and taxation.

The Constitution went way beyond correcting those flaws to establish the supremacy of private property over human rights. This condition was only partly rectified by the subsequent adoption of the Bill of Rights as the first ten amendments to the Constitution, but its impact has been vitiated by corporate appropriation of many of those rights since then.

That supremacy has bedeviled our struggle to build a truly democratic society ever since.

Ward Morehouse

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The writer is co-founder of the Program on Corporations, Law and Democracy.

New York Times Op Ed article that evoked the letter:

The Founders and the Fedayeen

July 19, 2003

by Mary Beth Norton

WEST TISBURY, Mass.

When questioned about the difficulties American forces are having in rebuilding Iraq, Secretary of Defense Donald Rumsfeld has taken to giving a history lesson. Several times he has spoken of another country in "chaos and confusion" during a period characterized by "looting, crime, mobs storming buildings, breakdown of government structures and institutions that maintained civil order, rampant inflation caused by the lack of a stable currency, supporters of the former regime roaming the streets . . ."

This picture should seem familiar to Americans, he says, because it is based on "historians' descriptions of the conditions here in America in 1783." Well, as someone who has spent three decades teaching and writing about that era, I recognize very little of the postrevolutionary United States in Mr. Rumsfeld's depiction.

First, the factual problems. His insistence that the new nation had to deal with roving loyalists, "many of whom had fought against the Continental Army," is simply not true. Virtually every person who publicly took sides against the Revolution left with the evacuating British forces in 1782 and 1783, and not just because they feared (with reason) for their safety. Most wanted no part of an independent United States. More than 100,000 refugees ended up in the West Indies, Canada or Britain itself.

Nor did a "breakdown of government structures" lead to widespread theft and looting. Historians have uncovered no evidence of a crime wave in the 1780's; states and localities never descended into chaos. The new states had all drafted constitutions by mid-1777 under orders from the Second Continental Congress. By the early 1780's some of those governments were being reorganized, but they never ceased to function.

Further, Mr. Rumsfeld seems to have conflated the problem of inflation during the war itself - when the Continental currency depreciated to worthlessness by 1780 - with postwar circumstances, when the states and national government began to get their finances under control well before the Constitution was drafted.

At least Mr. Rumsfeld is not one of those "revisionist historians" his boss, President Bush, has derided. In fact, the basic interpretation of American history he advances is so ancient it creaks. The idea that America under the Articles of Confederation (from 1781 to 1788) was a time of strife and ineffectual government was first put forward in the 18th century by supporters of the Constitution. It was perpetuated by 19th-century historians who wanted to portray the delegates to the Constitutional Convention as disinterested saviors of the nation. Historians initially challenged this dismal view of the 1780's early in the 20th century, and it has essentially been dead for at least 50 years.

There was, it is true, one major instance of violence in the Confederation years: Shays' Rebellion in western Massachusetts in late 1786 and early 1787. As Mr. Rumsfeld points out, Shaysite mobs did attack courthouses and an armed force assaulted an armory in search of guns and ammunition. But they were not challenging the new nation - they were opposed only to the harsh taxation and land-foreclosure policies in Massachusetts. The rebels (some of whom had served in the revolutionary forces) saw themselves as protecting "the liberties or properties of the people." Massachusetts rather easily put down the Shaysites, but the legislature then quietly acceded to most of their demands. Nothing in the incident seems comparable to events in Iraq.

This is not to say that the government under the Articles of Confederation was perfect or even adequate. It had many flaws - most notably, lack of national authority over commerce and taxation. The Constitution was designed to correct those flaws. So today's historical consensus views the Confederation period not as a time of chaotic confusion but rather as a stumbling first attempt to create a viable national government for what had been 13 separate colonies. Thus even if one ignores Mr. Rumsfeld's factual errors, his analogy with today's Iraq seems to hold little water.

For one, before independence, the American colonies had no unified government: the Revolution and its aftermath created the nation. Prewar Iraq, on the other hand, had a highly centralized economy and government, which has now collapsed.

The United States won its war. Iraq lost. Iraqis must now create a new polity under the supervision of an occupying power. There was no British Paul Bremer sitting in Philadelphia and telling us what to do in the 1780's.

Most important, perhaps, Americans in the 1780's had a tradition of self-governance and civil society stretching back more than 150 years, to the foundation of the Virginia House of Burgesses in 1619 and continuing within the individual states. Under Saddam Hussein, any semblance of civil society in Iraq was ruthlessly suppressed for decades.

As part of his education package, President Bush has proposed an initiative to improve the teaching of American history in the public schools. I wonder if his secretary of defense might benefit from a refresher on the revolutionary era.

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