



Episode 460: Jefferson and Jackson: Good Guys, Bad Guys, or One of Each?

Guest: Kevin Gutzman

WOODS: Tell me about what the decision was that the Democrats in Connecticut and apparently in at least one other state made recently with regard to their special dinner. The Republicans have their Lincoln Day Dinner in various states, and the Democrats had some other kind of dinner. What was that? And then we'll go into the significance of it.

GUTZMAN: Well, historically Democrats in every state have had an annual fundraiser called the Jefferson-Jackson Dinner, and recently, the Connecticut Democratic Party decided to drop the names Jefferson and Jackson from the title of this dinner. On the other hand, Missouri, instead of dropping the names Jefferson and Jackson, decided to replace them with Harry S. Truman. So they're going to have the annual Harry S. Truman Democratic Party fundraising dinner, and Connecticut hasn't decided on a replacement name.

WOODS: That's funny they would choose Truman. I don't know if you remember, back in 1988 when the presidential race was between George H.W. Bush and Mike Dukakis. They were both trying to see which one could compare himself more effectively and convincingly to Harry Truman, neglecting the fact that when Truman left office, he had the lowest approval rating of any president since they've done modern polling, including -- Nixon, when he resigned, was even more popular than Truman was. And that's the guy they want to imitate and name their dinner after.

GUTZMAN: Well, one supposes that the motivation of people in Missouri is primarily to identify themselves with the president from Missouri, instead of --

WOODS: Right.

GUTZMAN: But the thing is of course that the impetus for this in Connecticut came from the state NAACP, which in Connecticut, of course as in many other states, is a very important part of the Democratic Party coalition, and so they were opposed to using the names Jefferson and Jackson due to the fact that Jefferson and Jackson both were slave owners. And it seemed to the NAACP that the Democratic Party should not be associated with the names of these terrible slave owners -- well, I guess, "terrible" and "slave owners" to their mind is redundant. So the decision was finally made that that should no longer be the title.

And I find it somewhat of mixed impact, in my mind. For one thing, I have for years told my undergraduates – and actually, I guess I've told people in various other fora – that I thought the name Andrew Jackson should not be used as part of the title of these dinners. I think Andrew Jackson was an authentically capital "B" Bad capital "G" Guy, and it's also surprising that the Democratic Party have continued to use his name because of their current ideological position. So I actually would have been happy to see his name removed from all 50 state Democratic fundraising dinners' titles.

This came up – or at least a related question came up recently when the Treasury Secretary announced that he was going to respond to a petition to put a woman on the \$20 bill by removing Alexander Hamilton from the \$10 bill and putting a woman there. And I thought that was exactly the wrong step – actually although I don't like the idea of an affirmative action face on any of these currency notes – surely, getting rid of Jackson from the \$20 bill would have been a good thing for various reasons.

But Jefferson, because he was a slave owner, it seems to me completely wrongheaded and so lamentable, although of course, there is some truth in advertising in it, because the Connecticut Democratic Party is about as un-Jeffersonian as it could possibly be, so even those of us who have positive things to say about Jefferson could say, well, surely you wouldn't appreciate being associated with the Connecticut Democratic Party of today, which is, you know, a higher-tax, big-borrowing, intrusive-government, redistributionist, anti-meritocracy party.

But anyway, of course we have also seen that there has grown to be a movement nationwide, a kind of spasm I guess in recent weeks, of people calling for taking down various monuments and so on. And a lot of that has to do with the same kind of impetus, people saying that, well, we don't think that any monument that could plausibly be associated with slave owners or such should continue to stand. I think that's a somewhat different impulse from the one that was animating the two state Democratic Parties. I would of course also be surprised if there weren't other state Democratic Parties that have followed the lead of Connecticut and Missouri and have also gotten rid of Jefferson or Jackson or both.

WOODS: Well, let's go into that into a little more detail. I want to talk about both of these men briefly to get your opinion of them and why they do or don't belong. I mean, of course you're right that the modern Democratic Party has nothing in common with Jefferson whatsoever, so it's better for them both to have this amicable split, I suppose. But let's start with Jefferson. First of all, what is wrong with the argument that Jefferson held slaves. This is so morally reprehensible that it has to outweigh whatever good he can be said to have done, so therefore we have to take his name off. What's the problem with that thinking? Is there a problem with that thinking?

GUTZMAN: Well, I think that there is. I think it betrays a completely unhistorical captive mind. I of course encounter on a regular basis college freshmen, whom I am trying to instruct about American history, and they go into thinking about the past with their 2015 blinders on, and basically the idea is, well, anybody in the past who disagreed with any view that's common today or had any practice that would be

considered wrong today is to be considered a dastardly fellow. But I think in keeping with the old adage that the past is a foreign country, it's more interesting to think about the way the people in the past related to their own circumstances.

So take Jefferson: Jefferson was born basically — well, I said in my biography of James Madison, Madison was born an American prince. So was Jefferson. He was born into the system of slave owning. He was born into a family that owned dozens and dozens of slaves, and in fact, his mother's maiden name was Randolph, and the Randolph family was the most prominent network of slave owners in Virginia. Now, there would be nothing interesting at all in somebody who was born into that, accepted it, lived comfortably with it, rode thoroughbred horses, lived in a castle, and so on.

But Jefferson on the other hand, although born into it — and this is true of George Washington, too actually — although Jefferson was born into this kind of comfort, he did not accept it, and in fact wrote against it, took legislative action against it, made rejected legislative proposals to ameliorate or even, he said, to end this situation, and ultimately his legacy in this was one of taking steps that helped to set slavery in the United States on a path toward ultimate extinction.

Most notably, when he was president in 1806, he called on Congress to pass a law banning further importation of slaves as soon as the Constitution allowed, and so in 1807, he signed into law an act saying that beginning on January 1, 1808, slave importation would be illegal. Well, that was as soon as the Constitution allowed Congress to do that. And people, at the time that the Constitution was being considered for ratification, people didn't think that Congress would actually use this power at the earliest possible date. There was every reason to believe, as some pro-ratification advocates said, that this meant that slave importations would go on indefinitely. If slave importations had gone on for another 20 or 30 years, the population would have been much, much more enslaved, much more African, much more of the economy would have been slavery-centered, than ultimately was the case.

So this was a very important step. If that had been the only thing that Jefferson did about slavery, it would have been a very important anti-slavery career that he had. But that was not the only thing he did about slavery. He took several other steps about slavery, and he wrote about this question of the morality of slavery, which brought him into disputes with some of his fellow Virginia Republican leaders, notably John Taylor — another very notable Virginia political thinker of the late 18th and early 19th centuries.

So what's the point? The point is, again, there would be nothing interesting about a guy who was born a slave owner, owned slaves, and then died, right? There's nothing interesting about a guy who was born the son of a dictator, his father dies, he comes a dictator, and then he dies. But what would be interesting would be if Assad succeeded his father as the dictator of Syria and then said, you know, I don't think having a dictator is a good thing; I don't want to be the dictator. This kind of thing doesn't happen very often. Think about kings who have done — well, the current king of Spain

did something similar to that. But it's very, very unusual for somebody to do what Jefferson did.

George Washington is another fellow from Virginia who did the same kind of thing, and he's actually somebody else whose name has been kind of sullied in recent years by people who've said, well, slaveholders are awful; we shouldn't be naming parks and buildings and so on after them. It wasn't very many years ago that the city of New Orleans decided to rename a public school that had been named after George Washington, because they said he was a slave owner.

Well yes, George Washington was a slave owner. Same kind of story as Jefferson. Except for the last couple of decades of his life, he decided that he thought slavery was immoral. He stopped buying and selling people. He did not kick them off of his plantation, but by the time he died, he had about a third more slaves on his farms than he even could use. There was not work for them to do. And why? Finally because he thought it would be a bad thing for them to sell them; it would be a bad thing for them to expel them. There were actually people he asked, "Do you want to leave?" and they told him, no, I don't want to leave Mount Vernon. In his will, he freed them. So how are we to understand George Washington? As a man who owned slaves? Well, yes. But how about this, as a man who freed them. What about that?

So it seems to me that this is kind of the story of America. We would like that to be George Washington's story; we would like that to be the story of the whole country. America had slaves and then it freed them, right. But no, let's just forget about these people, right? We'll pretend that everybody in the past was born into a society with our current sensibilities, and if they offended our current sensibilities in any way, say by inheriting slaves – and by the way, of course, inheriting slaves was not something that somebody decided to do. That was just like inheriting your height. You didn't have a choice. So anyway, I think Thomas Jefferson fits more or less into the Washington category, and it's ridiculous to be removing his name from any monument. I think actually that George Washington should be remembered more than he is.

WOODS: Kevin, the outrage that the sort of people you're talking about have against Jefferson or Washington seems highly selective, too. It'd be one thing if these people were just delicate flowers who were offended by absolutely everything, but they're not offended by absolutely everything. They're offended by somebody who held slaves 200 years ago, and they act as if that's the only aspect of their lives that's worth mentioning. But they're not offended at all by atrocities that occurred in their own lifetimes, and of course by that I'm referring to the atrocities of communism, which are not talked about; there are not monuments to them; there are almost never any motion pictures about them; there's no mention about them at all. If somebody's walking around in a hammer and sickle t-shirt, there's no member of the Democratic Party who's going to be offended by that in the slightest bit. They'll say, well, you know, he's just a misplaced idealist. And that's what they'll say. So it's a little bit hard for me to take any of this seriously.

GUTZMAN: Ah, it's interesting that you say that, because the latest issue of *The Journal of American History*, which is a scholarly journal of the Organization of American Historians —

WOODS: Oh, I know, I know. All right, tell me what's in it.

GUTZMAN: (laughing) Well it has a book review section, and it has a review this month in which the reviewer says it's a happy thing that there really are no significant popular memorials or historical sites one can go to see any positive account of the American victory in the Cold War. So this is a great thing, says the reviewer. We shouldn't have what he calls is the right-wing narrative of the Cold War, which you know, I think in Eastern Europe is generally regarded as, I don't know, the Polish or the Lithuanian or the Belarusan or the Bulgarian narrative of the Cold War, that ultimately Soviet communists ceased grinding these people under their boot. This is not something that Americans seem to be that interested in. My own feeling is that basically the media, the popular culture don't ever say anything about these things, and so your average Joe or Jane doesn't even know anything about them. I know that my students typically aren't very well versed in these kinds of matters.

But back to what you were saying about the Democratic establishment, yes, it is true — actually it's especially true in Connecticut, where recently in one of our large towns, the local Democratic Party bought from the local communists the building to be their new headquarters. You might think, well, why are those two separate organizations? That's a good question. I'm kidding a little bit, but —

WOODS: (laughing)

GUTZMAN: But I think there are two different issues here. One is whether the politicians and the political groups like the NAACP are trying to be manipulative by calling for removing these names from the dinners and taking down monuments and so on. There's that. Yes, you're right. Those people are not tender flowers who are offended by every thought of Thomas Jefferson. On the other hand, there are other people. For example, the NAACP is not all black people. It's not all black Southerners.

And I know, because I know some, that there are black Southerners who have a particular attitude about some of the monuments and the flag and so on, that are similar to what the NAACP says about them. These are people who are not political activists. Some of them actually I know are conservative Republican black people from the South, who don't like, for example, the battle flag of the Army of Northern Virginia. And why not? Well, beginning in 1948, it was made into the symbol of segregation and anti civil rights, and let's keep blacks disfranchised and George Wallace and so on.

On one hand, one does not want to concede any point to the politically vicious people who are attacking bygone American heroes. On the other hand, one does not want the impulse to resist whatever bad people call for to blind one to the fact that there are actually good decent people who would rather not have these symbols everywhere.

For example, apparently there's controversy in South Carolina over a monument to an early 20th century politician named Ben Tillman. Tillman was nothing but an anti-black demagogue, and he called repeatedly in public for horrible violence against black people, and he ultimately held the highest political offices in the South Carolina electorate's gift and there's a prominent monument to him. My own feeling is that that ought to come down.

I mean, I think part of the issue here is we had apartheid in much of the country. We had a system in which blacks were kept from voting, and we have a lot of monuments that are actually to people who were primarily or prominently responsible for establishing and maintaining that kind of system. One should expect that once the formerly degraded people were given the vote, eventually those monuments would be removed. They're not going to want to celebrate Ben Tillman. Why should they celebrate him? And why should we want to celebrate Ben Tillman? Why should we want to oppose taking down a statue of Ben Tillman?

So I do think that we want to avoid thinking, well, anyone who calls for taking down any kind of monument anywhere is equivalent to somebody who wants to rename George Washington Elementary School because George Washington was a slave owner. These are different kinds of issues.

WOODS: Right, and I totally understand that. I think what a lot of people think, though, is that we've been through this before, and we know that when the Left gets on to something, even when it has decent people on its side, that's just by accident and that's pure happenstance. They don't stop with the just one small demand that they have. They never say, we're satisfied with the way the world is now. No Leftist is ever going to say that. It's permanent revolution, and if you yield a few inches, they're going to take 15 miles. And so I understand why people dig in their heels, because they know the nature of the opponent that they're facing.

I also appreciate your point of view, which is that a broken clock is right twice a day, and that sometimes there are perfectly decent people who call for things like taking down a statue of Ben Tillman. So we have to have a nuanced and subtle view of matters like this.

I do want to make sure that we don't wrap up without talking about the other of the two presidents that the Democrats want to separate themselves from, because it's very rare that you would agree with the *New York Times* or whatever on something, for different reasons, no doubt — or sometimes the same reasons, I suppose. But the Andrew Jackson question. There are plenty of libertarians who are willing to say, all right, I know about the Trail of Tears, but basically he was a limited government, states' rights guy — with the exception of nullification; that would take states' rights too far, he would say. But he believed in equal rights for everyone, which meant no group or industry should get any special privilege from the government. So the whole package sounds kind of libertarian. So what's wrong with him?

GUTZMAN: Oh boy, well first of all —

WOODS: I set that one up right over the plate for you, Kevin.

GUTZMAN: (laughing) Well, there are several things. Ultimately, Andrew Jackson was a lawless demagogue. I mean, that's what he came down to. So for example, you say, well there is the matter of nullification. Yes, what happened in the nullification crisis ultimately – and we won't summarize the whole political campaign about nullification – but Jackson ultimately asked Congress to pass what was called the Force Bill, which it did. And what this did was empower the president to use the Army against a state in case the state should resist federal law.

So to my mind, and this was also the position of every Democratic president who was alive during the Civil war, this was unconstitutional. That was Buchanan's position; that was Pierce's position; it was Tyler's position. And of course Tyler actually at the time was a senator who voted against the Force Bill, and in doing so, announced that he was leaving the Democratic Party. This was completely contrary to the classic Virginian position on federalism, which said essentially that, yes, obviously the federal government had rightful powers, but the federal government also had no right to be using military against the states. So that's one thing.

Another thing is of course, people are most prone to laud him for taking out after the Bank of the United States, and I agree that the Second Bank, like the First Bank, was unconstitutional. However, there was a statute saying that the Treasury Secretary had to deposit federal revenue in this bank, whose constitutionality had been upheld by the federal courts. And Jackson told his Treasury Secretary to remove the deposits from the bank. The Treasury Secretary refused to do so, and Jackson fired him. He then appointed a second Treasury Secretary, called him in, told him to remove the deposits from the bank. That guy also – I think it took two days for this guy's nomination to be confirmed, so it was within a week of the first guy being fired. He called in the second guy, tells him to remove the deposits from the bank, he says no as well, Jackson fires him too.

He then turns to his attorney general, whom he makes Treasury Secretary. That guy was named Roger Brook Taney. Taney, told by Jackson to remove the deposits from the bank, essentially said, how soon? And Jackson responded to this willingness to violate the law on Taney's part by making him Chief Justice. As Chief Justice, Taney, Jackson's appointee, was responsible for the Dred Scott decision, in which Taney wrote an opinion that was completely divorced from any valid account of the Constitution's framing and ratification. Basically he said that the people who made the Constitution all agree that no black could be a citizen of the United States. Even if he were free, the assumption would be that none would be. There's no truth in this.

There were two dissents in the case, and both of them explained that when the Constitution was ratified, there were several states where blacks voted. Before Taney openly made his opinion in the case public, he had read these dissents, and – this was very unusual – he changed parts of his opinion to respond to these dissents. Although of course, he could not contradict the main point, which was that it was just untrue.

He also said that the portion of the Missouri Compromise that kept slavery out of the northernmost territories was also unconstitutional. This was also untrue.

And so I blame Jackson for Taney's performance as Chief Justice. The lawlessness Taney displayed in Dred Scott was exactly like the lawlessness he displayed in his willingness to remove the deposits when Jackson told him to. This is all just partisan Democratic behavior, as we're accustomed to seeing from the four Democrats who are on the Supreme Court today. They will basically say whatever President Obama wants them to say, in these cases about Obamacare, for example. So historians generally agree — and in fact, I can't think of one who disagrees — that at least after Roe vs. Wade, Dred Scott was the worst decision in the court's history, and it's just classic Jacksonian behavior.

Jackson also was a really bad guy. I mean, if you said something negative about him in print or in public, and he thought you were beneath his social level, he would find you and beat you with a cane or a whip in public. He did this on numerous occasions. If he thought you were on his social level, he would duel you. He would literally shoot — there was one guy where he shot a guy between the eyes, and then he himself slumped to the ground, and when the doctor came over and said, General Jackson, you've been shot, Jackson's response was, "Did he see it?" Like, he wanted to know whether in the two seconds between his being shot and his killing the other guy, the other guy had had the pleasure of knowing that he had hit Jackson. So Jackson was just a nasty kind of a fellow.

And of course, the most notorious thing that he did was probably the Trail of Tears episode, where he clouded two correct decisions from the Supreme Court, that the Indians in Georgia were entitled to the benefit of the treaty they had made with Georgia to keep their land in Georgia, and signed legislation requiring them to move to what is now Oklahoma, and then sent his own agents to force them to do this in the winter. So these people are walking from Georgia to Oklahoma in the winter. About half of them died on the way. This, again, I think is just abominable behavior.

And it's not 2015 ethics or a 2015 kind of sentimentality that leads me to this conclusion. People thought this stuff was appalling at the time. Many people thought this was appalling at the time. So I don't know what there is in what I've just said that the Democratic Party would want to be associated with today. He formerly was seen as kind of a heroic military figure for winning the Battle of New Orleans — oh, I left out one other thing.

He actually, during the Monroe administration, he was ordered by the War Secretary, John C. Calhoun, not to invade Florida. Jackson, the Commander of the U.S. Army in the Southeast, then invaded Florida anyway. And they had long discussions in the cabinet over whether to relieve him, which is what Calhoun, his immediate superior, wanted to do. Ultimately they decided not to relieve him, because the Secretary of State realized that the ease with which Jackson conquered Florida would be a good negotiating point, and so he wrote to the king of Spain and said, well, we told our general not to invade Florida, but he did it anyway. So we wish that hadn't happened,

but you see how easy it was. Now the question for you is, do you want us to pay you for Florida? You know, or in other words, do you want us to take it for free.

So Jackson at every stage of his political career was just — he was an insubordinate general, who launched an aggressive war. He was a scofflaw when it came to the Trail of Tears. He appointed the Chief Justice who made literally the worst decision, at least up to 1973, in the history of the Supreme Court. And he had the Congress adopt the Force Bill, which established the principle that the federal government could use the Army against the states. And of course we know that was used. So I don't know what it is about Jackson that anybody would want to commemorate. I think he was a thug, myself, and I am happy with the idea of him being removed from the 20. Although, in its classic fashion, it seems that the Obama administration has decided not to remove him from the 20. They're going to take Hamilton off the 10, which is a different issue.

WOODS: Indeed, and I have a debate coming up in New York City in December on the general subject of the merits of Hamilton —

GUTZMAN: (laughing)

WOODS: — in terms of the overall cause of liberty. So I'm looking forward to that. And I'm going to tell people of course that if you like listening to Kevin Gutzman — you say, oh my gosh, I never knew this stuff; this is great! — well this is what Liberty Classroom is. LibertyClassroom.com is like what you just heard times 100,000. Like, that's what we do over there in the forums and our live sessions and the on-the-go courses you can download and listen to at any time. Or if you like video, you can watch video. Kevin's got several courses up there that are going to open your eyes about all kinds of historical topics and more courses to come, no doubt, once you finish this book project that you're working on. I guess you must be getting close to the end?

GUTZMAN: I am very nearly done, yes.

WOODS: It's on Thomas Jefferson. Shall we say anything else?

GUTZMAN: Well, it's called *Thomas Jefferson — Revolutionary*, and I am hopeful it will be published early next year.

WOODS: And is the publisher St. Martin's?

GUTZMAN: It is, yes. I'm happy to say, I'm still with the same Macmillan's imprint. Apparently they liked me.

WOODS: That is a real feather in your cap. That's absolutely great. Well, Kevin, thanks so much for your time today. Always appreciated.

GUTZMAN: Happy to do it, Tom.

