Episode 537: The Conservative Case for Hamilton Over Jefferson Is All Wet

Guest: Kevin Gutzman

WOODS: Somebody asked me to take a look at this article, and I don't always take those suggestions because I just don't want to do it. But this is a pretty good one, because this does come up once in a while. Hamilton supporters are not content to say Hamilton had some good qualities. It always has to be "and Jefferson was a deadbeat and a jerk." Now, that's not say we're not engaging in, you know, hero worship here with Jefferson. You certainly have been more than willing to acknowledge the flaws of Jefferson.

But I do want to go through this piece from *National Review* by what looks like an M.D. Aeschliman. And the premise of it is that we have on the one hand the great Alexander Hamilton, self-made man who had abolitionist sympathies and was all around a noble figure, whereas on the other hand, we have Jefferson, "whose character and career" — now I'm quoting from the article — "were often marked by double dealing, deceit, prevarication" — which, by the way, that's a word that — this guy apparently is an English professor? You should never use the word "prevarication." That's just a — "deceit" was sufficient. "Prevarication" is just a big word for lying. It's just a horrible word.

Anyway — "and extraordinarily clever hypocrisy, especially on the race issue, presenting a strong contrast to the forthright candor of Hamilton. Not only was Jefferson born to wealth and privilege, including slaves, but he lived very well and far beyond his means, dying deeply in debt and manumitting at death only the Hemings slaves. Contrast George Washington, who manumitted all of his slaves at his death and provided funds for some of them."

So why don't we start there? Just on the question of character, what can we say about Jefferson and Hamilton, and again, with no hero worship necessary, just fairly assessing them?

GUTZMAN: Well, okay, first Hamilton. Hamilton was privately, except in one notorious instance, a highly estimable person. He did make his own way, although it must be said that he was kind of struck by lightning when seeing a poem he had written as a young man, several wealthy people in his ambit decided just to give him a full ride to King's College, which is now Columbia University. So I said recently in a review in *The*

American Conservative of the Broadway play *Hamilton* that this is akin to having a local barista recite a poem and somebody say I'm sending you to Columbia.

WOODS: (laughing)

GUTZMAN: It was just completely random.

WOODS: And by the way, based on some of the people I saw in the History Department, I think that's the way they do it today.

GUTZMAN: (laughing) Well, are you talking about the faculty or the students?

WOODS: (laughing) I don't know, actually, now that you come to mention it. Yeah, I had to avoid half the faculty completely. But anyway — wouldn't it be fun actually some day to do a show on our academic experiences?

GUTZMAN: Yes, we'll have to do that once I've retired.

WOODS: (laughing) Exactly. All right, go ahead. Yeah, because a lot of these people are still alive. You're colleagues with these people, so yeah. I'd have to have you own and we'd have to disguise your voice or something.

GUTZMAN: Yeah, nobody will guess who this is.

WOODS: (laughing) Yeah, that's right. All right, go ahead.

GUTZMAN: Anyway, so Hamilton then was not entirely self-made. In fact, he had this gigantic subvention from people who were impressed with his potential. But he then was very successful in college, and he joined the Army as a young, young man, became an artillery officer and displaced what people thought was gratuitous, spectacular bravery as an artillery commander. He was so impressive that he came into the circle of the generals and eventually found himself on Washington's own staff, where he eventually was Washington's chief reliance for all kinds of drafting communications and so on. Washington got tired of his constant pestering for a field command, and so at the climactic moment in the Revolution, Hamilton was given the opportunity to lead the lead formation in the final assault at Yorktown, and he came through with — I would say flying colors, but he actually had a longsword in his hand, and as gleaming in the dark, he waved men across the parapet. So he had a really spectacular military record.

Besides that, he went into Congress and became a fervent nationalist. He argued always for more authority in the central government. This was common for people who had been officers in the Army. They had seen that the weakness of the Congress or perhaps the poverty of the American governments generally meant that some men literally froze to death and starved to death while in the Continental service. So Hamilton was among a coterie of people who decided — and this included Washington and John Marshall and other prominent people — who decided that they were going to

devote themselves to strengthening the central government so that would never happen again.

Then, named by Washington ultimately as kind of a third choice to be Treasury Secretary, Hamilton penned three just brilliant state papers describing a British-model American financial administrative system for the United States government. Washington was persuaded by them, and Congress followed his lead, so that Hamilton's plan became the initial federal financial system. And in doing this, he of course ran athwart the promises that moderate federalists had made in ratification campaigns in several states, most notably, the most important one, Virginia, where moderate federalists had insisted that the federal government would only have the powers, as the governor of Virginia put it in the Richmond ratification convention, "expressly" granted.

So Hamilton essentially seemed to other people to be ignoring the very idea of constitutional government in leadership of the Treasury Department in the Washington administration, and that's why there came to be an opposition party, essentially. People gathered around James Madison in the House by 1792 in opposition to Hamilton on a whole string of issues, not merely financial. Hamilton got his finger into foreign policy as well, where he was, just as in domestic administration, in international affairs he was strongly anglophile. And he was the center of the party dispute of the 1790s. The question was whether you favored Hamilton. If you opposed him you were a Republican. If you favored him you were a Federalist.

And as this was going on, he also fell into what I mentioned before, an adulterous affair with people who used the fact that he was in high office and that he had this affair with the woman of the couple to try to extort money from him. And ultimately, Hamilton went public with this whole sordid tale in order to counter accusations that he had been corrupt. No, I wasn't corrupt, he said; I was just unfaithful. So obviously that was a kind of low point of his life, but you can see there that what he superordinated was his public persona. He thought that his relations with his wife were less important than his public career, which nowadays I think would be a calculation that people would be somewhat less likely to make, but at that time I think, assuming anybody else had behaved this way and been caught out in it, they would have been likely to do what Hamilton did; they would have been likely to make the same kind of calculation there.

On the other hand, Jefferson. Jefferson is rightly said by Aeschliman, if that's how you say his name, to have been somewhat of a hypocrite in regard to race, certainly. He had a slave mistress, or at least he had a — we don't actually know what kind of relationship they had, other than DNA evidence seem to buttress longstanding evidence of other kinds that Jefferson had a sexual relationship with a particular slave woman that yielded several offspring. So people want to imagine that this was an affair or that it was a romance or that she was his mistress, but because he was a slave master and she was a slave, we can't say that. All we can say is that they had sex, and there were children.

Besides that, Jefferson also, as Aeschliman says, did live beyond his means and leave his one surviving child bankrupt. This resulted not only in her having to sell off Monticello but in the worst fate that could befall slaves, and that was their all being sold away from not only the plantation that they had lived on but each other. So in those days, of course, if you were a slave and the people you knew were all your relatives and acquaintances on the large estate where you worked, if you were sold away from a plantation in Piedmont, Virginia, you could end up in coastal Alabama. And you had no phone; you had no radio; you had no Internet. It was illegal to teach you to write, and even if you could have written a letter, it was impossible that you could mail it, because it was expensive. So likely you would lose contact with everyone and everything you knew.

And this was just a really grim fate that Jefferson seems never to have scrupled about inflicting on his slaves, but this is one reason why people thought slavery was a bad system — that and obviously the sexual element I mentioned a minute ago. I tell my students, and they are usually shocked at this, that it was very common for slave masters just to insist on sex with the slaves, and there was nothing a slave woman could say in response. We have very rough accounts from people like Frederick Douglass being witnesses to slave masters demanding sex from their female relatives, and they felt powerless, and the women obviously felt powerless, and this was just hideous.

Sometimes people would joke about it. When I was writing an essay on William Henry Harrison for the *American National Biography*, I came upon an excerpt from a Senate debate he was involved in. And at one point he said something about — that is, William Henry Harrison, who was a senator in the 1830s — he said something about interracial sex, and another senator said, well, everybody knows that the senator from Virginia has more black brothers than anybody else in Virginia. And then, if that weren't shocking enough, then the transcript says that the other senators laughed.

So this was just taken for granted. It wasn't thought that there was even anything special about it, and Jefferson was part of the system. You know, even if the allegations about him weren't true or even if his treatment of Sally Hemings was romantic, even if they were in love with each other, which I'd consider unlikely, still, he's implicated in this system, because he knew that it worked the way that I've just described for most people, and he did effectively nothing about getting rid of it in Virginia. So to that extent, we have to say yeah, he's responsible. We don't know that he actually could have done anything about it.

Now, his discussion of this, you have to start — and I'm currently writing a chapter in a book about Jefferson on this very subject of Jefferson and blacks, but if you're going to write about Jefferson and slavery, you have to start with his autobiography, which he wrote in his 70s; he lived to be 83. And in his 70s he said that when he first entered the House of Burgesses in his 20s, the very first measure he was involved in promulgating was a measure to adopt a gradual emancipation policy in Virginia.

Now, the way that worked — and that's the kind of policy that eventually got rid of slavery in Connecticut, in Pennsylvania, in New York, in New Jersey — the way that worked was the legislature would say typically, beginning next year on the 4th of July, if you were born a slave in New Jersey, you become free when you're age 18 if a female and 21 if a male. So in other words, if you're a slave now, you're never going to be freed by that. This was a very slow way of getting rid of slavery. And of course some people could take advantage of the time lag by selling their slaves to somebody who lived in Tennessee or Louisiana, and then that particular person would never be free, although, again, the law would eventually get rid of slavery in New Jersey, which such a law did.

So Jefferson says in his autobiography written in his 70s that when he was first in the House of Burgesses, he was one of two sponsors of a bill like this. The other one was a very senior member named Richard Bland, who actually was a distant cousin of Jefferson's. And Jefferson writes that he had never heard such harsh language used toward a senior member. He said for hours the other members of the House of Burgesses excoriated Bland. They called him an enemy to his country; they acted as if he were a criminal, and Jefferson said he concluded at the end of this debate that Virginia just wasn't ready to do anything about getting rid of slavery. This just wasn't going to happen anytime soon.

And when he was an old man, another Virginian from the ruling class, a fellow who had been a neighbor of Jefferson's his whole life — that is, for the younger man's whole life — and who actually who was a relative of James Madison, because he was a cousin of Dolly Madison's, Edward Coles, wrote to Jefferson and said, Mr. Former President, I have the idea that Virginia should get rid of slavery, and you're the fellow to take the lead. You're the one who taught us the principles of liberty. You're the one who's been the voice of the ideas underlying the opposition to slavery. If it could have your name on it, it would have more likelihood of being successful than any other way.

And Jefferson wrote back and said my opinions about slavery have been known to the public for more than 40 years, and for me to repeat them would not clarify anything for anyone. He said, so what I've been hoping ever since I first entered the Burgesses was that the younger people would come to have these principles, and eventually slavery would cease to exist because they would oppose it. And then he said — and this is I think the really interesting part — then he told Coles, your letter is the first evidence that I've ever had that this is happening. So I think what you should do is you should stay in Virginia; you should keep owning these slaves, and you should try to persuade other Virginians to adopt your principles.

Well, Coles, instead of doing that, moved to Illinois, and if you go to the Illinois capitol you'll see a big mural; inside the dome of the Illinois capitol, there's a picture of Coles freeing his slaves. So there stands Coles on a gigantic barge with all these black people, and they're all facing him, and there's a kind of light shining on him, and some of them are kneeling, some of them are jumping up in joy, and Coles is telling them that they're free, and when he got to Illinois he gave each of them land and so on.

So people who have been critical of Jefferson on the count of slavery, such as the legal historian Paul Finkleman, have said, well, we can judge Jefferson harshly here. It's not unhistorical; it's not anachronistic, because the best people in his generation, even Virginians, were doing this — not only Coles, but George Washington famously freed his slaves in his will; John Randolph of Roanoke, another Jefferson cousin, freed twice as many people as Jefferson owned in his will and gave them lands, just as Washington did. So their point is, well, we expect somebody like Jefferson to have kind of the latest opinions, to be on the cutting edge of liberalism, and he certainly wasn't.

Now, what does Jefferson himself think about these questions? Jefferson thought that — and he wrote this in his one book, *Notes on the State of Virginia*, which he published in the 1780s — he thought that it was impossible to have a biracial society in Virginia. He thought that the blacks — when he used "blacks" he was referring to slaves, although of course there always were free blacks in Virginia, but he left them out of this conversation. But he said the blacks — and here he's speaking for all white Virginians — he said the blacks all hate us, and we give them more reason to do so every day. And on the other hand, we're prejudiced against them, so the only way that they could have — I mean the slaves — the only way that they could have their right to self-government respected would be if they went somewhere else.

Now, this was not just rhetorical. I tell my students, a lot of people say these people are hypocritical, people like Jefferson, because they say that all men are created equal and then they own slaves. But Jefferson wasn't hypocritical about slavery. He thought that black people were entitled to self-government just as white people were. He thought that blacks hated whites, and that whites were prejudiced against blacks, and this he thought made it impossible to have a biracial society in Virginia. So then he said that means that the blacks have to be sent somewhere else. And he didn't just stop there; he actually tried to do that.

And there were several different points in his life where he thought of places where Virginia blacks could be sent. He proposed that the government of Britain be contacted about their being sent to Canada. He had the idea of sending them to the Midwest. He advocated what's called diffusion of the black population across the western part of the United States. His argument was that if there were small concentrations of slaves across the whole country instead of gigantic concentrations in a few coastal areas in states like Georgia and South Carolina and Virginia, then it would be much easier to free them.

And for support for that argument — which, you know, I'm not committed to either side in that argument — but one can find support for that argument in the fact that when the Revolution started, the states with small concentrations of slaves — Vermont, Massachusetts, and so on — immediately got rid of slavery. They just in 1777 in Vermont, they passed a law: no more slavery. How could they do that? Well, there were very few slaves in Vermont. So that seems to underscore Jefferson's contention that where there was a lower proportion of the population in slavery, they could more easily be freed through the republican process.

Anyway, people have said his character was low because he exploited the slave woman, and actually this Aeschliman refers to her as a black woman — which, there's some debate among historians about whether she actually met the Virginia legal definition of a black person, because there had been a white father and then a white grandfather, you know, all the way back. Apparently she may have been three-quarters white, but she may have been seven-eighths white, in which case she would have been legally white. So maybe Jefferson was having some kind of sexual relationship with a white woman who was being held enslaved on his plantation, which is kind of an interesting point.

Like, my students are always surprised to learn that there were white slaves, and there actually where white slaves. Slavery, the status descended through the maternal line, so if you had a white father in every generation, eventually the person would be 1/32nd, 1/64th, 1/128th black, and yet, she'd still be a slave, because the status wasn't about the race; it was about the mother's status.

The other score on which this article says that Jefferson had a low character was the question of the French Revolution, and especially the just promiscuous violence in the French Revolution.

WOODS: Yeah, I was going to ask you about that, because it seems to me that he was continuing to promote and cheer for the French Revolution long after it was unreasonable for anyone to continue to do so.

GUTZMAN: Yeah, he was basically — as far as I know, he was the last significant American who was still excusing the French Revolution's violence and just atheistic impositions and so on. So yes, yes, I think that's true. I think it's certainly true. Now, part of what's going on in this piece, of course, is that the supposed contrast between Hamilton and Jefferson is supposed to lead us to the conclusion, well, then Hamilton's political principles must have been preferable, so if Jefferson was still saying yay, French Revolution after Hamilton had already begun to say that's terrible, we should have nothing to do with it, then we should conclude that there needs to be a national bank, right? That to me is non sequitur. This is a classic argumentum ad hominem here.

But you know, the piece also exaggerates Hamilton's personal virtues, which, as I made clear I think before, I think is hard to do. Although I don't like his political virtues, I think Hamilton was a heroic person. His story is spectacular. It's amazing that somebody went from nothing at all — and actually, not did he have nothing at all, but in case anybody listening doesn't know, his father impregnated his mother and then left. And then his mother died, and Hamilton was kind of fobbed off on a cousin. The cousin killed himself.

Hamilton's a little boy, and he ends up working as a clerk, and he is so smart, by the time he is in his mid-teens, the shipping magnate he's working for feels perfectly comfortable leaving town for weeks and leaving Hamilton, aged 15 or 16, in charge of a gigantic shipping and mercantile operation. It's really kind of unbelievable. And then

eventually they said he impressed the governor and other people in this little British island he lived on as being so capable that they took up a collection and sent him off to Columbia, which was then called King's College. It just is — it's really hard to believe. If it were a novel, nobody would believe it, but it's true.

On the other hand, Aeschliman says repeatedly that Hamilton was throughout his life a devout and — these may not be the exact words, but he was a devout and energetic opponent of slavery. Well, the historian Phil Magnus at George Mason University challenges people to show anything that Hamilton did that was anti-slavery. He was a member of an abolition society; that's true. But then what did he do as a member of the abolition society? Still waiting to hear.

WOODS: (laughing) Okay.

GUTZMAN: So I don't know that there's evidence on behalf of this contention; it may be that there is, but I haven't encountered it. And the books by Brookhiser and McDonald and various other people that tend to lionize Hamilton for his political principles, not so much for his personality, they don't really detail his taking up collections or buying up slaves or advocating repeal of slave codes in states that still had it or — whatever he's supposed to have done, it seems to be a secret. So I think this is an exaggeration myself, but I'm willing to be persuaded that it isn't.

And then of course there's the other question, and that is the one on which people who supported Jefferson in his day rested their case, and that has to do with his public behavior. I mean, Hamilton favored a reading of the Constitution that was completely at odds with the one the federalists had persuaded people to adopt in the ratification process, and then he as Treasury Secretary pushed through measures that benefitted connected people who were friends of his, who exploited their closeness to the Treasury Secretary to make a lot of money on bonds and so on that other people didn't have access to. And Hamilton favored a reading of the Constitution that essentially left the federal government with the power to do whatever it wanted to do.

Now, Aeschliman repeatedly drops the name of, you know, the whole Holy Trinity of unlimited government in America: Hamilton, Marshall, and Lincoln. Well, yes, Marshall and Lincoln admired Hamilton. Why is that? That's because they both favored unlimited federal government too. Marshall knew that the promises that had been made about the way the government would work were completely contrary to both his and Hamilton's statements as Chief Justice and Treasury Secretary, because he had been a federalist in the Richmond ratification convention when the governor was saying this government will only have the powers expressly delegated, and when George Nicholas, another leading delegate, had said that in case this new government abuses its powers we can reclaim them, which we call secession nowadays. So Marshall's performance as Chief Justice was completely opposite that set of promises that were made by the federalists, including a committee of which he was five members in the Richmond ratification convention, so I guess it's unsurprising that he endorses Hamilton behaving the same way as that as Treasury Secretary.

I think it's more important from the point of view of somebody who's a citizen in the United States whether Hamilton's public ethics were laudable than it is whether he was a heroic figure. So I would say up to the time he became Treasury Secretary, wow, what a guy. After that, I disapprove of his behavior. Whether you like the measures he advocated is one thing — and actually, they were effective. They did, for example, cut the rate of interest that the U.S. government was paying on its bonds from 6 to 4 percent almost overnight when assumption of state debt happened. The American bonds fell from 6 to 4 percent, so that was immediately a financial benefit to all Americans. But to do that, he had to persuade Washington to sign legislation that effectively claimed for the federal Congress power to do anything, and that was not the kind of government that people had agreed to.

So this is why there ended up being a Jeffersonian coalition against Hamilton, and Hamilton's party as soon as Washington left office basically was on train to ceasing to exist. By the time Hamilton was shot, the Federalist Party basically was on its deathbed, and that's because people agreed with what I'm saying. Most people agreed that the Constitution they had agreed to was not the one Hamilton's assuming existed, and if he hadn't died in that duel, it's unlikely he would have ever again held high federal office. I don't think he would have been elected governor of New York either, so probably his political career was over.

WOODS: So it seems to me, then, that by looking at his personal life, his life outside of politics and drawing a conclusion about his merits and then extrapolating from that — but not very explicitly, just in a very, very vague and never really fleshed out way — that therefore he's a model through his whole life is the approach taken not only in this article but by a lot of Hamilton apologists that I've seen. But as you say, if we're going to talk about people who are dishonest or hypocritical or whatever, then it's fine to talk about how they behave in their private lives, but that doesn't affect me. But Hamilton's behavior in public life does affect me, because it did leave a legacy that was very happily taken up by people who followed him who liked his interpretation of the Constitution, which I think is — as you would no doubt agree — demonstrably dishonest and it is demonstrably at odds with what people were told. That is a kind of dishonesty that doesn't just affect a handful of people, but it affects everybody forever.

GUTZMAN: Right, yes. And actually, I left out that one of Aeschliman's sources for this article is a book by the Irish diplomat Connor Cruise O'Brien called "The Long Affair." It's about Jefferson and the French Revolution.

WOODS: Yeah.

GUTZMAN: And what O'Brien does in that book is take some of the really kind of blood curdling statements Jefferson made in private about the French Revolution and compare him to Pol Pot, you know. Essentially Jefferson was writing letters to people excusing — writing private letters to people excusing the latest terrible misdeeds of the French Revolutionary leadership, and in one infamous letter he said, well, nobody's — here he's responding to news that some of his friends had been executed

with the guillotine, and he says nobody's feelings can have been more injured than mine, but, he said, if every country had been left with just one Adam and one Eve, it would have been worth it to vindicate the principles of the French Revolution.

Now, you and I can look at that and, having been born in the 20th century and know that there were actually people who put that theory into practice and think, wow, that is just awful, but two things we need to notice here: one, in Jefferson's day, nobody had put that into practice, so for him, this is rhetoric. And maybe he meant it; maybe he didn't, but he hadn't done anything, and he wasn't saying this is public. He was saying this to a few friends. So it's not Jefferson was a public figure who was associated with, you know, let's have the Gulag. There was no such public pronouncement from him ever. People didn't even know that this was being said; it didn't affect public policy in the United States. That's one thing.

I think, as you said, it's certainly more important what Jefferson did and what Hamilton did as public figures, so I think it was — you know, he was a cad for the way he behaved toward his life, and then to make it worse, to make it public, to tell all the details to avoid the end of his political career, but he thought it was more important to save his political career than it was just to stay mum on the allegations, so that his wife wouldn't have to go through the public humiliation. I think that was pretty low, but again, it's not the kind of thing on which I would want to judge a public figure. You know, maybe Bill Clinton traipsed around with one arm around Hillary and one arm around Chelsea right in the middle of the Monica Lewinsky thing; that's repellent, but it doesn't really tell us what we want to know about him as the president, I think.

So the point is these fellows, yes, they did some low things. I wouldn't want everything I've ever done exposed to the public. But more important are their public policies. And most historians have looked at O'Brien's "The Long Affair" with his comparisons of Jefferson to Pol Pot and said, yeah, that's just dizzying. That's just over the top. In the next paragraph, this guy will say Jefferson wasn't in the Army. Really? So you're saying on the on hand he's a bloodthirsty killer, but then you're scanting him because he didn't kill anybody or he wasn't in the military.

By the way, what kind of an allegation is that to make against somebody who's a leading statesman of the Revolution? He's a leading politician during the Revolution. You're going to insult him for not being in the Army? If he had been 20 like his friend Monroe, who also gets insulted in this piece for being a slaveowner and for democratic rhetoric — if had been 20 like Monroe, he probably would have joined the Army, as Monroe did. Monroe, like Hamilton, was actually an authentic military hero during the Revolution — we don't get any mention of that, along with repeated insults to Monroe in his piece.

So the point is I think that's irrelevant, whether a 35-year-old governor should have quit being governor and gone and joined the Army. Well, it seems like a dumb question, but it's also just a silly insult and gets back to the basic nature of this essay,

which is one long argumentum ad hominem, right? And then with the irrelevant conclusion, so you should prefer Hamilton's principles.

WOODS: Well, we are going to of course link to this article that we've been talking about at TomWoods.com/537. I'll link to your books, which are all important, your biography of Madison; I mentioned them all at the very beginning. All this stuff will be up there. Of course, I'm going to be debating that weasel Michael Malice on the subject of Hamilton in New York City on December 3rd as part of a debate society that they have there, and he just tweeted out on Twitter the lowest of low blows, because we've been trash talking over the past couple of weeks on Twitter. And the low blow is this: he said, "Bill Kristol just predicted that Tom Woods will win the debate on Alexander Hamilton, so need I say more?" That's the worst.

GUTZMAN: (laughing)

WOODS: (laughing) I have to admit, it's one of the best tweets I've ever read, but that is a low blow.

GUTZMAN: So that means the last three predictions I've seen from Bill Kristol are Rubio, Fiorina, and Woods.

WOODS: (laughing) Yeah. It's looking pretty grim at this point. But anyway, well, Kevin, I really appreciate the surgical precision with which you took apart this piece, and I know everyone listening will feel the same way. Thanks again.

GUTZMAN: You're welcome.