

The Founders and the Creation of the American State

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A major theme which frequently appears in most far right rhetoric is that any effort to expand the size of government is wrong, against the principles on which the country was founded, probably subversive and definitely dangerous. The founding fathers are portrayed as anti-statist small government fanatics. Because of this narrative and the liberal, excuse the pun, use of the word "patriot" among many of these groups, this theme has gotten some traction. This theme, however, relies on a somewhat narrow and subjective reading of American history -- not just of 20th century history where the New Deal and later the Great Society led to increasing the role of government, but of 19th and 18th century history as well.

The project of the founders had two goals. The first was to ensure liberty and freedom for those who at that time were defined as citizens. Thus, the Constitution and the Bill of Rights formalized myriad individual freedoms and limits on what the state could do that, that had hitherto been largely unprecedented. These are the rights we all know and cherish -- freedom of speech, religion and assembly, and other restrictions on what the state can do. However, if the Constitution had only focused on protecting rights and limiting the state, the country would not have lasted. This is not speculation but rather draws on the actual experience of the early years of the young republic. The constitutional convention of 1789 was called precisely because the Articles of Confederation had failed to build a functioning state.

The second goal of the founders was to build a strong and enduring state that could facilitate growth and development while protecting individual liberty and freedom. Therefore, the true genius of the founders was not that they wrote a document protecting individual freedom, or that they created an enduring state, but that they managed to do both simultaneously.

The goals of protecting individual freedoms and building the American state -- and the occasional tension between the two -- have driven much of American history. Right wing patriots today have claimed the legacy of the founders by focusing on only one of these goals, that of protecting individual freedom. This explains the "give me liberty or give me death" refrains and the frequent references to Jefferson's thoughts on small government, but there was another strain in the thinking of the founders, one expressed by people like [Hamilton and Madison who recognized the need for a strong state](#) and who sought a central government with more ability to pass laws, regulate the economy and limit the power of the individual states. It is frequently forgotten that Hamilton and Madison's side carried the day in Philadelphia in 1789.

The paradox of the founding of the US, and indeed most of American history has been that a strong state has in many cases proven to be an effective way to protect and increase freedom. This may seem counterintuitive, but is nonetheless true. The expansion of the national level government at the expense of various local and state level governments in the 1960s, for example, was essential to ending what had been roughly a century of American apartheid. Moreover, not

even the most committed right wing activist would deny that only a strong central government American can guarantee our America's national security.

More strikingly, the founders understood that a strong state, with functioning interstate commerce, common currency and the like was essential for the economic prosperity of the new country. These issues were settled long ago, but similar economic issues which influence the extent to which the US is competitive internationally, such as the need to have an educated and healthy work force, functioning and modern infrastructure, avoid burdening the private sector with the cost of providing health care to their employees-something which most businesses competing with American businesses do not have to do or the value of regulations ensuring the quality and safety of American products, are contemporary equivalents.

The founders were obviously aware of the ability of a state to restrict freedoms, but were also aware that the absence of a functioning state could do the same. This remains true and equally obvious today. One need look no further than weak and collapsing states around the world where people enjoy little freedom from fear and low-level non-state despots.

The Tea Partiers and other anti-state radicals are not entirely wrong to warn about the potential of the state to repress freedom or to slow down or subvert economic growth. Clearly, for example, there are times when the best thing the state can do to help an economy is to get out of the way. However, by overlooking the role of the state in ensuring these freedoms and facilitating economic development these radicals doom themselves to a sophomoric understanding of political and economic realities and to half-baked ideas about political and economic solutions. Moreover by claiming the mantle of the founding fathers in their anti-government crusade they badly and foolishly misread history and some of the most basic lessons from the early years of our country.