



What really happened in 1787?

by Anton Chaitkin

Part II of a series.

With the economy in chaos, and the new Union threatened with breakup, the central Revolutionary leaders moved to secure their military victory by the creation of an actual national government.

Those who had guided the war for independence, General George Washington, Dr. Benjamin Franklin, and their small circle of close allies, were now to guide the process by which a nation would define its fundamental law. They would form a strong, energetic government, entirely responsible to the people, committed to industrial progress, with which to challenge the continuing imperial tyranny of the Old World.

Just before the Constitutional Convention met, the Society of the Cincinnati convened in Philadelphia under its president, General Washington, with Colonel Alexander Hamilton the Society's most active organizer. This group of Revolutionary officers, U.S. and foreign, had been formed for the express purpose of promoting an enduring Union of the states. It was the core of the French-American alliance built under Franklin's direction. Its presence in the city at precisely this time showed the assembling Constitutional Convention delegates that the army leaders would not readily tolerate the loss of the liberty they had bled for, through a failure of nerve or duty at the Convention.

Economic policy

During the Constitutional Convention, Benjamin Franklin organized two special meetings to define the political economy of the new nation, the first at Franklin's own house in May, the second at the University of Pennsylvania on Aug. 9. These were gatherings of Franklin's "Society for Political Inquiries," to hear addresses composed by a talented young

merchant named Tench Coxe, on the need for government encouragement of manufacturing and commerce, so America could rapidly industrialize itself.

Under Franklin's sponsorship, with Coxe's writings being regularly published by Franklin's protégé, the printer Matthew Carey, Tench Coxe was to be appointed Assistant Treasury Secretary under Hamilton. Coxe would do much of the detail work for Hamilton's 1791 Report on Manufactures, the official plan for America's industrialization.

During the Constitutional Convention—and later during his two terms as President of the United States—George Washington stayed in the home of Robert Morris, the Financier of the Revolution and organizer of the Bank of North America. Morris nominated Washington as chairman of the Convention; Hamilton nominated his own man, Major William Jackson, as Secretary—Jackson would later be President Washington's private secretary.

During the Convention, the pro-nationalist delegates would caucus at the Indian Queen tavern, conveniently located at Fourth and Market Streets next door to Franklin's home and print shop.

The so-called Virginia Plan was the first outline for a central government brought into the Convention, as a point of departure for the deliberations. According to James Madison, it had been worked out in preliminary discussion between Washington, Madison, and the other five Virginia delegates. The national structure called for in this plan was in many ways analogous to most of the state constitutions already adopted: a two-house legislature, with separate executive and judiciary departments.

The New Jersey delegation countered with a call for a weaker central government. Hamilton came back with a proposal to virtually eliminate state governments, which effec-

tively corraled the delegates toward the “more moderate” nationalist agenda.

The Constitution as agreed to, differed from the Virginia Plan in several important features. Three crucial points in our present scheme of government were chiefly the work of James Wilson, the Philadelphia legal scholar.

Wilson had been the Advocate General for the French allies during the war; and the attorney and spokesman for Morris’s wartime Bank of North America, the model for the Bank of the United States to be established later under President Washington. Wilson was president of the Illinois-Wabash Company, the latest phase of the old Washington-Franklin project to secure the West for the Americans. The 81-year-old delegate Benjamin Franklin gave his own speeches to “my learned colleague” James Wilson to read, adding authority to Wilson’s role as the principal Convention spokesman for the governmental philosophy of the nationalists.

Congress

The preliminary Virginia Plan suggested two branches of legislature, the second branch (later called the Senate) to be appointed by the first (House of Representatives). In the ensuing debate, it was proposed by anti-democratic “states’ rights” advocates, that the House and Senate be appointed by the state legislatures; the Senate was to resemble somewhat the British House of Lords. Wilson and Madison led the successful fight for a popularly elected House, and Wilson defeated the proposal for property ownership to qualify voters in congressional elections.

As to the Senate, James Wilson disagreed that the British government could serve as any model for the USA. “Our manners, our laws, the abolition of entails and primogeniture, the whole genius of the people are opposed to it.” His argument for a Senate directly elected by the people was defeated; the legislatures would appoint Senators, until Wilson’s proposal became law in 1913, in the 17th Amendment to the Constitution.

By Benjamin Franklin’s compromise proposal, each state would have two members of the Senate, but all spending bills must be initiated in the popularly elected House.

The Executive

The Virginia Plan called for an undefined “national executive” to be chosen by Congress. James Wilson proposed that the executive branch be headed by a single person, with strong and clearly defined powers. As a member of the Committee of Detail, Wilson was the principal author of the first draft of the Constitution, in which this executive chief was styled “the President of the United States.”

In his law lectures at the University of Pennsylvania a few years later, Wilson—then Associate Justice of the U.S. Supreme Court—explained the American concept of the Presidency. It is a melancholy lesson for today:

“The British throne is surrounded by counsellors. With regard to their authority, a profound and mysterious silence is observed. One effect, we know, they produce; and we conceive it to be a very pernicious one. Between power and responsibility they interpose an impenetrable barrier. Who possesses the executive power? The king. When its baleful emanations fly over the land, who are responsible for the mischief? His ministers. Amidst their multitude, and the secrecy, with which business, especially that of a perilous kind, is transacted, it will be often difficult to select the culprits; still more so, to punish them. . . .

“What is wanting in authority may be supplied by intrigue; and, in the place of constitutional influence, may be substituted that subtle ascendancy, which is acquired and preserved by deeply dissembled obsequiousness. To so many arts, secrets unceasing, and well directed, can we suppose that a prince, in whose disposition is found anything weak, indolent, or accommodating, will not be frequently induced to yield? Hence springs the evils of a partial, an indecisive, and a disjointed administration.

“In the United States, our first executive magistrate is not obnubled behind the mysterious obscurity of counsellors. . . .”

The Judiciary

The Virginia Plan suggested that Congress be given the power both to appoint, and to dismiss federal judges. James Wilson fought for and won the presidential appointment of the judges, and their continuance in office except in cases of proven malfeasance.

In a law lecture, Wilson warned of the dangers of a judiciary that lacks independence. He speaks clearly to us today, as we observe our Justice Department and their captive judges protecting terrorism and narcotics, and attacking those who expose their crimes:

“Let us suppose a union of the executive and judicial powers: this union might soon be an overbalance for the legislative authority. . . . The laws might be eluded or perverted; and the execution of them might become, in the hands of the magistrate and his minions, an engine of tyranny and injustice. . . . Will redress be found in the courts of justice? In those courts, the very persons who were guilty of the oppression in their administration, sit as judges, to give a sanction to that oppression by their decrees. Nothing is to be more dreaded than maxims of law and reasons of state blended together by judicial authority. Among all the terrible instruments of arbitrary power, decisions of courts, whetted and guided and impelled by considerations of policy, cut with the keenest edge, and inflict the deepest and most deadly wounds.

. . . At Venice, where an aristocracy, jealous and tyrannical, absorbs every power, behold the state inquisitors, and the lion’s mouth, at all times open for the secret accusations of spies and informers. In what a situation must the wretched

subjects be under such a government, all the powers of which are leagued, in awful combination, against the peace and tranquility of their minds!"

The developing nation

In 1775, Benjamin Franklin proposed in the Continental Congress that the original eastern states give up their claims to the frontier western territory, so that new states might be developed with democratic rights equal to the older states. In 1787, James Wilson successfully opposed restrictions in the Constitution, that would have yoked the westerners as quasi-colonists under eastern authority, making for an unstable Union.

Now, with the new U.S. government in place, Supreme Court Justice James Wilson's Illinois-Wabash Company and U.S. Senator Robert Morris's North American Land Company proceeded with plans for the rapid settlement of the west. Wilson, with 60 million acres above the Ohio River, and Morris, with 10 million frontier acres throughout the eastern states, had a common program. European immigrants were to be recruited, and, with Americans migrating westward, were to be installed on new farms and in new, planned towns, through the payment of low monthly installments—what we know today as the ordinary house mortgage. Under various forms of government patronage, only actual settlers, not speculators, were to be qualified to purchase the frontier lands.

This balanced, agro-industrial development would eventually be carried out through the Plains states, reaching its high point of idealism and effectiveness in the era of President Abraham Lincoln.

But in the 1790s British and European feudal financiers launched a violent "war of the elites" against the American nationalist leaders who had led the Revolution and written the Constitution. The American economic development program was tripped up, and many of the Founding Fathers were destroyed.

Robert Morris, former Superintendent of Finances for the Revolution, undertook to purchase land in the District of Columbia, 6,000 lots, and to build houses for the people who were to live in the new capital city of Washington. One of his partners in this enterprise was, it turns out, a secret enemy, one James Greenleaf of Newburyport, Massachusetts. Greenleaf, a former U.S. consul in Amsterdam, was the son of the infamous Boston sheriff who had ordered the rebellious colonists to break up their protest meeting against the landing of East India Company tea. Sheriff Greenleaf, Sr., was thrown out with loud jeers, and the tea was dumped in Boston harbor.

Greenleaf, Jr., the family disgrace rankling in his bosom, visited creditors and potential backers of his partner Robert Morris, lying that Morris was without funds, that his land was worthless, and that Morris intended to rob them. In 1796, the Bank of England sharply curtailed its credit overseas; Morris actually lost some \$600,000 in British and Irish banks.

Morris's creditors now panicked and called in their loans. Financial warfare against Morris became so intense that he was a virtual prisoner in his house, surrounded by creditors and process servers 24 hours a day for a year and a half. The man who had seen the Revolutionary army through its years of struggle was finally taken to jail—for debts, without a trial or a conviction—and stayed there for three and one half years. He was visited in jail by George Washington, then a former President, and by Alexander Hamilton. Morris died a broken and impoverished man.

Justice James Wilson, one of the principal architects of our democratic government, was savagely pursued by creditors in this orchestrated financial terrorism. He fled from town to town, and died of shock. His place on the Supreme Court was taken by Bushrod Washington, nephew of the former President.

Beginning in 1791, James Madison, formerly the strong ally of the principal Founding Fathers, took part in a political attack on the economic program of Treasury Secretary Alexander Hamilton. Under the direction of British spy Aaron Burr, a prostitute successfully trapped Hamilton into a blackmail scenario, and Hamilton eventually resigned after suffering a crescendo of lies and terror against his integrity.

By the late 1790s, it had become apparent to most patriots that the predominant tendency within the party, nominally headed by Hamilton—the "Federalists"—was treasonably pro-British. It was New England "Federalists" such as these who backed Aaron Burr in his later adventures—his shooting of Hamilton and his plot to break up the Union.

The political party that formed around Thomas Jefferson, including James Madison, was eventually joined by most patriots. In the beginning they had to sacrifice the Founding Fathers' national economic program, in order to save the country from treason. But it was these "Jeffersonians" who later developed the Whig Party, and the Republican Party of Lincoln, using Hamiltonian principles! And it was Hamilton himself, after viewing with disgust the treatment of Morris and Wilson, who decided to break the ascendancy of the "Federalists," and put the Jeffersonians into power in the 1800 election.

Isn't it strange that most Americans today have never heard of Robert Morris or James Wilson? That revisionist historians call Alexander Hamilton a pro-monarchist, and declare James Madison, "The Father of the Constitution"?

The revisionism began with Madison himself, who waited 30 years before he published his notes of the otherwise secret Constitutional Convention. By that time he had had a chance to edit the story to fit his own changing political beliefs, however patriotic.

In this Bicentennial of the Constitution, those present-day historians, who are much more consciously unsympathetic with the philosophy of the Founding Fathers, have little excuse to perpetuate ignorance about the origins of our republic.