This book will show that America’s Founders well deserve the respect that citizens and schoolchildren still pay them, but which has long been out of fashion among America’s elites. The Founders wrote and approved a Declaration of Independence whose central proposition was that "all men are created equal." They set up a government that did what no democracy had ever done before: It combined majority rule with effective protection for minority rights. It enabled a larger number of men and women to live in prosperity and liberty than any other nation has ever done.

In spite of this undeniable success, many of our leading sophisticates today would rather talk about the Founders' failures. Instead of the victories they won on behalf of freedom, we hear loud complaints about their supposed racism, sexism, and elitism. The Founding Fathers, we are told, did not really believe that "all men (and women) are created equal." Washington and Jefferson owned slaves. Women and the poor were excluded from voting. So how can we take seriously the Founders' supposed belief in human equality?

These arguments are well entrenched in the conventional wisdom of our time. They are repeated endlessly in the media and in popular books, by professors and politicians, as in these typical statements:

*On blacks*: "The sublime principles of the Declaration did not apply to them. They are for whites only." (Writer Conor Cruise O’Brien) The "prevailing opinion of the framers" was that blacks were "so far inferior, that they had no rights which the white man was bound to respect ...and that the Negro might justly and lawfully be reduced to slavery for his benefit." (Former Justice Thurgood Marshall, the first black appointed to the Supreme Court.)

*On the poor*: They were "defined ...in a sense as an alien race that had to be held to close discipline." (Yale historian John Blum.)

*On women*: "In colonial society ...a married woman had virtually no rights at all.... The Revolution did little to change [this]." (A college American history textbook.)

*On voting rights for the poor*: "Most states had numerous [property] requirements that had to be met before a man could vote.... In general, the idea of voting rights or any other kind of rights was not something that particularly troubled the Framers." (A college textbook on American government.)

*On immigration and citizenship*: The Founders' willingness to consider national origin in naturalization and citizenship policy was "quite obviously ...inconsistent with the ideals of liberty and equality professed in ...the nation's 'Creed.'" (Yale political scientist Rogers Smith.)

*In sum*: "The American Revolution produced no significant benefits for American women. The same generalization can be made for other powerless groups in the colonies—native Americans, blacks, probably most propertyless white males, and indentured servants." (Feminist historian Joan Hoff Wilson.)
It is surprisingly easy to show that these claims are false. We will see that the Founders believed that members of these supposedly "excluded groups" really are "created equal." (By the term "Founders," I mean those who served in notable public offices from about 1765 to 1800, especially the authors of constitutions, laws, and other important public documents.) We will see that George Washington was correct to call his political convictions "liberal." We will see that the Founders were sincere in their professions of the rights of humanity and their commitment to popular government. We will also see that their actions were consistent with their opinions. The Revolution clearly improved conditions for blacks, women, and the poor.

Other "excluded groups" could have become the theme of additional chapters—for example, Indians and religious minorities. Here, too, the Founders come off much better than we are usually told. I chose to focus on blacks (and other racial minorities), women, and the poor because those are the groups most often mentioned in the typical criticisms of the Founders. Relations between the races, between the sexes, and between haves and have-nots are at the forefront of today's debates over justice and public policy.

In spite of the constant criticism of the Founders over the past several decades by textbooks and scholars, most Americans still respect the founding as great and noble. I will show that there are good reasons for that once nearly universal opinion, now often dismissed as simple-minded patriotism—or evil patriarchalism. This does not mean that the founding had no defects. But some of what we disapprove of in their policies arose from necessary concessions to passions and interests that they could not tame (as in the case of slavery). We will also see that they had strong reasons to believe that what we easily condemn as antifemale (such as laws against easy divorce) arguably secured the equal rights of all better than today's alternatives. Some of these reasons are now being rediscovered on the cutting edge of the latest social science research. As for the Founders' principles, we will see that they were sincerely held and conscientiously implemented. Their policies and institutions were sensible if imperfect means by which the equal rights of Americans would be secured within the limits imposed by an imperfect human nature.

Here are some of the conclusions reached in this book:

**On slavery:** Every leading Founder acknowledged that slavery was wrong. Slavery was legal and practiced in every state in 1776; by the end of the founding era, more than a hundred thousand slaves had been freed by the outlawing of slavery in seven of the original thirteen states or by individual acts of manumission, especially in the South. Most important, the ground for the eventual total abolition of slavery was laid in establishment of the equality principle at the center of the American polity by Jefferson, Madison, Franklin, Hamilton, Adams, Washington, and other leading Founders.

**On the poor:** Far from being indifferent to the poor, the Founders regarded the protection of private property rights as a necessary means for the poor to escape the kind of subjugation by the wealthy that they had experienced in Old Europe. And far from throwing the needy into the streets, the Founders maintained government-funded "safety-net" programs for them. Their property rights and welfare policies, which are often scorned today for their supposed indifference to the poor, were arguably more just and compassionate than ours.

**On women:** Women were understood by everyone to be included in the "all men" (all human beings) who are created equal. In New Jersey, women voted in elections routinely during the 1790s and early 1800s, for the first time anywhere in world history. This fact, as we will see, is clearly connected to the Founders' equality principle. So also was the idea, which
grew during and after the founding era, that women and men have equal importance, but different roles, in the family and society. The best protection of women's rights, in the minds of both the men and the women of the founding era, was the core private association of a free and civilized society: lifelong marriage and the family. The alternatives—permitting no-fault divorce, pushing women into the job market, and legitimizing the treatment of women (and men) as sex objects—were thought to dehumanize and exploit, not liberate.

On the supposedly undemocratic electorate: Far from excluding the poor, the electorate in the founding era was the most democratic of any large nation in history. It included about 85 to 90 percent of free males. Those Founders who defended a property requirement for voting did so, not in opposition to, but on the basis of, the equality principle of the Declaration of Independence. They feared—as we will see, not without reason—that the propertyless poor might become the tools of influential and wealthy demagogues, distorting election results and endangering the survival of liberty. They changed their minds on this point as it became increasingly clear that the poor were not opponents but friends of the rights of mankind, including the right to acquire and possess property.

On naturalization and citizenship: The Founders' policy generously welcomed as equal citizens people from many nations and religions. However, there was a concern that immigrants might come in numbers too large, or from countries too despotic, to assimilate to the American way of life. There was also a concern that newcomers would not possess, or be in a position to acquire soon, the principles and habits necessary for democratic citizenship. Naturalization in early America was therefore limited primarily to those who had been formed by Western civilization. Still, the American way of life was informed by the universal principles of the Declaration. So although the Founders expected most immigrants to come from Europe, their principles made it possible for people of every race and continent to become, in Lincoln's phrase, "blood of the blood, and flesh of the flesh" of the Founding Fathers who came before them.

This book began as a series of short essays on slavery, women, and voting rights published in connection with the Claremont Institute's Salvatori program for high school teachers. When I first started to write, I did not expect my task to be very hard. Many of the typical objections to the Founders are crude and ill informed, and it is easy to answer them. I had long known that the evidence on the slavery question favored the Founders. What I did not know is that an adequate treatment of the question, including the embarrassing denial of citizenship to most free blacks before the Civil War, calls for reflection that goes beyond the work of those who have preceded me in vindicating the Founders. The same proved to be true of the question of women's rights, which soon led into the Founders' understanding of male and female sex roles, the evidence supporting their views, the question of feminism, and other controversial topics. In several cases—including property rights, women and the family, and welfare—a full and fair treatment of the Founders' led to a confrontation between their approach and today's approach. Most of the topics treated in this book, as the reader will see, sooner or later compel us to choose between two competing visions of equality and liberty: the Founders' view, and today's.

This confrontation between what I call the Old and the New Liberalism leads beyond the defensive stance with which this book begins. We are accustomed to put the Founders on trial, to ask why it took so long for Americans to recognize the equal rights of racial minorities, women, and the poor. Eventually, we become aware that from the point of view of the Founders' principles—the principles of the Declaration and the Constitution—the
question becomes whether we can justify our departure from the founding. We will see that our easy assumption of moral superiority rests on shaky ground.

The scholarship informing this book is meant to be factual and objective. It tries to present a historically accurate picture of the Founders' real views and policies. But the truth does have implications that bear on the choices facing us today. I have not shied away from those implications.

Jefferson thought that the chief value of studying the past is

rendering the people the safe, as they are the ultimate, guardians of their own liberty.... History by apprising them of the past will enable them to judge of the future; ...[I]t will qualify them as judges of the actions and designs of men; it will enable them to know ambition under every disguise it may assume; and knowing it, to defeat its views.

Jefferson was describing the kind of history that Thucydides and Winston Churchill wrote: loyal to the truth but unafraid to distinguish between justice and injustice, honor and villainy, greatness and degradation. That is the kind of scholarship to which this book aspires.

