

# **An Introduction to the Life and Papers of James Madison**

by

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## **A Public Life**

Late in his life, sometime after 1831, James Madison responded to a request to write his autobiography. The result was a mere sketch, 15 pages long, which contained none of the personal information about a prominent public figure that readers today would expect in an autobiography. Madison recorded that he had been born on 5 March 1751 (Old Style) in King George County, Virginia, to James and Nelly Conway Madison, residents of Orange County, Virginia. He said no more about his parents and nothing of his nine siblings. When he mentioned his wife, Dolley Payne Todd, a Quaker widow from Philadelphia whom he married in 1794, Madison wrote only that she had "added every happiness to his life which female merit could impart." The remainder of the autobiography was a summary overview of the history of the United States between the 1770s and the 1820s, with brief references to the events and developments in which the author had participated. For additional details, Madison referred readers to documents in his personal papers.

By summarizing matters so cryptically, Madison told readers of his autobiography--and of all future biographies, for that matter--that they should study his life only to the extent that it was part of the history of the nation. In retirement after 1817, he arranged and edited his papers to reinforce that message, discarding a good deal of material relating to family and private matters. The papers that he bequeathed to his widow upon his death in 1836 thus became, for the most part, the record of a life played out in the public sphere. The limitations that Madison imposed on our ability to understand many aspects of his life and their significance cannot be easily overcome. If we know relatively little of the personal and private affairs of the "Father of the Constitution" and the fourth president, it is because he believed we need not be concerned with them.

Concerns for privacy aside, however, Madison did preserve a collection of letters that he had written to his father, James Madison Sr. These letters suggest that the youthful Madison had a respectful, but perhaps somewhat remote, relationship with a parent whom he addressed formally for many years as "Honored Sir." His mother probably taught her oldest son to read, but little can be gleaned from the surviving record about their relationship as adults.

After the death of Madison's father in 1801, Nelly Conway Madison maintained separate living quarters and business arrangements in the family house at Montpelier until her death at the age of 98 in 1829. For as long as Madison was away from home on government service, Dolley Payne Madison corresponded with "Mother Madison." The few letters that Nelly Conway Madison received from her son were brief and dealt mainly with business matters.

Among his siblings, Madison's favorite was probably his youngest sister, Frances Taylor Madison (Fanny), with whom he enjoyed playing chess. Their relationship was overshadowed later, however, by a dispute between Fanny's husband, Dr. Robert Rose, and other Madison family members over the terms of their father's will.

### **Education of a Statesman**

James Madison Sr. was a wealthy Virginian planter and slave owner and it was the resources of the Montpelier plantation that provided for his son's education. Throughout his formative years, Madison was schooled in the classics, natural science, foreign languages, and moral philosophy, often by Scottish-born or Scottish-trained clergymen, of whom the most important was the Reverend John Witherspoon at the College of New Jersey in Princeton.

Like most advanced students in the eighteenth century, Madison compiled commonplace books--collections of aphorisms and various bodies of organized information to be committed to memory for future use. One such book that probably dates from his time at Princeton, "A Brief System of Logick," is preserved in the Library of Congress.

The mental discipline that Madison acquired by these means led him later in life to prepare for public business by researching policy issues as thoroughly as possible. Surviving examples of his research agendas and the notes that they generated are scattered throughout his papers. These papers address such matters as the struggle for religious liberty in Virginia between 1784 and 1786; the history of confederations that figured so prominently in both the debates in the 1787 Federal Convention and the Federalist Papers; the drafting of the Bill of Rights; and the issues of political economy and foreign policy that Madison contested with Alexander Hamilton in the House of Representatives and in newspapers in the 1790s.

### **Revolutionary Legislator**

After graduating from Princeton in 1771, Madison returned to Montpelier, where he was drawn into politics in both Virginia and the emerging American nation. One issue that engaged his attention was religious freedom for nonconformist sects in Virginia, a concern that led to his first contribution to constitutional law when he persuaded the Virginia Convention of 1776 to include liberty of conscience--as opposed to mere religious toleration--in the Declaration of Rights for the newly independent state.

When religious disputes surfaced again in Virginia politics after 1784, Madison circulated throughout the state the clearest exposition of his views on church-state relations, the 1785 "Memorial and Remonstrance against Religious Assessments." On the basis of public support for that memorial, Madison was able not only to defeat the efforts of Patrick Henry to incorporate the Episcopal church and distribute tax money to religious denominations but also

to consolidate religious liberty in Virginia by persuading the General Assembly to pass into law in 1786 Thomas Jefferson's Statute for Establishing Religious Freedom.

Madison's membership in the 1776 Virginia Convention was also a step toward involvement in the politics of the War for Independence. After brief interludes in the Virginia House of Delegates and the Virginia Council of State, Madison was elected in 1780 for a three-year term to the Continental Congress in Philadelphia.

In the nation's first legislature, he established the habits of a conscientious public servant, often taking detailed notes of congressional proceedings as a way of improving his grasp of the affairs of state. In particular, Madison was concerned to ensure that states comply with the requisitions of Congress, and between 1781 and 1783 he joined with other delegates in efforts to secure independent sources of revenue for the Confederation, most notably by granting Congress power to raise an impost.

Madison was also instrumental in crafting compromises on the apportionment of taxes, including the formulation of the three-fifths ratio whereby, for purposes of assessing tax burdens, five slaves might be counted as three free persons. That same formulation emerged as a solution for the dispute over slave representation in the Federal Convention of 1787. In 1829, toward the end of his life, Madison again urged his formulation as the best way to deal with similar disputes within his native state as it revised its constitution of 1776.

Madison's efforts to strengthen the powers of Congress were unsuccessful. After 1783 he served again in the Virginia General Assembly, where he experienced considerable frustration at the reluctance of its members to comply with congressional policies as well as their willingness to pass laws that he regarded as both unjust and unwise. Eventually, Madison concluded that only a thorough reform of the nation's political system could ensure the survival of the Union and preserve republicanism within the states.

### **Crafting and Defending a Constitution**

Aided by encyclopedias and historical treatises sent to him from Paris by Thomas Jefferson, Madison began studying the histories of failed confederacies in the past, searching for the weaknesses that caused their downfall. When a convention of the states held at Annapolis, Maryland, in 1786 admitted its inability to solve the problems of the Union by calling for another convention to meet in 1787 to revise the Articles of Confederation, Madison was ready to respond.

His response was a memorandum entitled "Vices of the Political System of the United States." In May 1787 this memorandum served as the basis for the Virginia Plan, a series of resolutions that Madison drafted for the Federal Convention in Philadelphia. The resolutions called for the creation of a bicameral national legislature, based on proportional representation in both chambers and accompanied by a national judiciary and a national executive.

Madison's main goal was to limit the influence of the states in national politics. To this end, two of his resolutions recommended that both the national legislature and a Council of Revision--a body to be composed of executive and judicial officers--have the power to veto state laws. The delegates in Philadelphia adopted the Virginia Plan, which framed the agenda for the discussions that led to the Federal Constitution in September 1787.

Throughout the convention, Madison made detailed notes of its proceedings, partly for his own information and partly to provide a record for posterity of the origins of what he hoped would be the first successful republic in modern times. In the first six weeks of debate over the Virginia Plan, Madison argued vigorously for his preferred reforms of proportional representation and the federal veto. He opposed, equally vigorously, proposals to protect state equality as the basis for representation in national politics. Further, he was unwilling to leave the states with powers that might permit them to thwart congressional priorities.

Madison won his point on proportional representation in the House of Representatives, but otherwise experienced defeat. In the so-called "Great Compromise" of July 16, 1787, state equality became the foundation for the new Senate. Madison's proposals for a national veto and a Council of Revision were discarded in favor of more moderate provisions, namely the designation of all federal laws and treaties as the "supreme Law of the Land" and the creation of a judiciary whose powers extended to "all Cases in Law and Equity, arising under [the] Constitution, the Laws of the United States, and Treaties made . . . under their Authority".

Madison took these setbacks hard and could not immediately accept them. The full extent of his concern for their consequences was not revealed, however, until he wrote a lengthy letter to Jefferson on October 24, 1787, more than one month after the Convention had ended. In the deliberations of the Federal Convention after mid-July 1787, Madison took a less prominent role, although he spoke on several occasions in favor of strengthening the powers of the executive branch of the new government. As he viewed the finished Constitution, Madison was both exhausted by his labors and apprehensive about the future. Much had been accomplished, but, as he confessed to Jefferson, he also feared that the new government "might not answer its national object."

These misgivings were short-lived. Responding to an invitation from Alexander Hamilton of New York, Madison threw himself into the campaigns to ratify the Constitution, first by writing 29 of the Federalist essays for the New York press and then by taking the lead in the Virginia Convention of 1788 to outmaneuver the Anti-Federalists in his native state. In these efforts he was successful, but as the opponents of the Constitution proved more numerous than he had expected, Madison realized that their main objection to the new government--that it lacked a Bill of Rights--would have to be addressed. Accordingly, he took charge of that project in the first session of the First Congress in 1789 and reduced a list of more than 200 suggested amendments to the Constitution to 19. Congress chose 12 amendments to send to the states, 10 of which were adopted as the Bill of Rights.

## **Party Founder and Party Leader**

Madison served four terms in the House of Representatives (1789-97). At first, he cooperated with the administration headed by George Washington to pass legislation organizing the new federal government, but increasingly he came into conflict with Secretary of the Treasury Alexander Hamilton over economic policy and foreign affairs. Their differences began with a dispute over commercial reciprocity with Great Britain and widened into a permanent breach when Madison, along with Secretary of State Thomas Jefferson, rejected Hamilton's measures to reform the nation's economy and finances by proposals to assume the Revolutionary debts of the states, to subsidize domestic manufacturing, and to establish a Bank of the United States.

Madison maintained that the Constitution could not sanction the creation of a bank, and in February 1791 he even drafted a veto message for the president in the event of the bill's passing. Hamilton ultimately prevailed, but Madison's arguments in opposition marked the first significant exposition of "strict construction" as a method of constitutional interpretation.

To these early disputes were added angrier disagreements over the course of American neutrality during the war that broke out between Great Britain and France in 1793 and lasted until 1802. Hamilton sought improved relations with Great Britain, while Madison preferred to preserve the 1778 treaty of alliance between France and the United States. Adherents of these conflicting viewpoints then coalesced into the Federalist and Republican parties, with Madison often taking the lead in organizing the Republicans, both in Congress and, at times, in communities throughout Virginia and other states.

These domestic and foreign differences culminated in the lengthy debate over the ratification of a treaty of commerce negotiated by Chief Justice John Jay in Great Britain in 1794. Madison was bitterly opposed to Jay's Treaty. From the summer of 1795 through the spring of 1796 he waged a protracted campaign against its adoption, mainly in the House of Representatives, urging his colleagues to refuse appropriations for its implementation. The campaign failed, and at the end of the 1796-97 session Madison retired to private life.

One of the more interesting documents illustrating Madison's opposition to the Jay Treaty is his extensive critique of its provisions in the form of an eight-page folio "letter" that he preserved under the date of August 23, 1795. At the time of its composition, Madison did not indicate the addressee, but many years later, very likely after 1817, either he or his brother-in-law, John C. Payne, docketed the sheets as "probably to A. J. Dallas or Tench Coxe."

A closer examination of the manuscript suggests a very different story: that this "letter" was, in fact, a composite of two separate documents, the first a draft for a letter and the second an essay in five numbered sections intended for the public. Circumstantial evidence suggests that John Beckley, the clerk of the House of Representatives and a coadjutor of Madison's in organizing the Republican opposition, was the intended recipient of the drafted letter, but no evidence exists to confirm that either Coxe or Dallas ever received the essay on the treaty. That essay,

however, was printed in several newspapers after October 1795 as part of a petition to the Virginia General Assembly, urging that body to make a protest against the Jay treaty.

That Madison encouraged a state legislature to intervene in a foreign policy dispute in this manner raises several interesting questions about the evolution of his political thought in a time of intensifying partisanship. Had Madison, the critic of the states in the 1780s, abandoned his earlier desire to prevent the states from meddling in national politics? Did he adopt his 1795 position for purely tactical reasons, or had he changed some of his fundamental assumptions about the nature of American politics? Did Madison wish to conceal from the public in 1795 his role in an extremely controversial course of action, and did he intend, in his retirement, to mislead posterity about his actions in 1795? Or had he simply forgotten, in his old age, some of the details surrounding this episode?

In retirement at Montpelier after 1797, Madison did not remain inactive for long. The presidency of John Adams was dominated by the Quasi-War (1798-1800), an undeclared maritime conflict with France that also gave rise to the nation's first domestic security program, the Alien and Sedition Acts of 1798. Madison deplored both the quarrel with France and the infringement of states' rights and civil liberties embodied in the Alien and Sedition Acts.

In conjunction with Jefferson, who composed the Kentucky Resolutions, Madison drafted a protest, the 1798 Virginia Resolutions. This document was circulated by the Virginia General Assembly to other state governments in hopes that they would endorse his criticisms of the administration's excessive broadening of federal powers. The resolutions--which outlined a "compact theory" of the Constitution to allow states to judge infractions of the fundamental law--were not well received and Madison returned to the Virginia House of Delegates in the winter of 1799-1800 to vindicate his stand. The result was his "Report of 1800," a lengthy essay on how the checks and balances of the federal system were essential to the preservation of liberty. The "Report" also included an extended defense of the freedom of the press against government efforts to criminalize criticism of its policies and its officers.

As he protested the policies of the Adams administration, Madison also participated in the Republican effort to elect Jefferson to the presidency in 1800. Success in the latter enterprise led to his appointment as secretary of state, in which capacity he served as Jefferson's closest adviser until 1809.

### **Secretary of State**

In the State Department, Madison had an extensive portfolio of duties, ranging from the conduct of American policies abroad to the management of territorial affairs at home. The secretary of state also supervised both the Federal Census and the Mint, published and distributed the laws of the United States, and affixed the Great Seal to federal commissions, land patents, copyrights, and other administrative documents.

In the realm of foreign affairs, by the time that he left office in 1809 Madison was handling correspondence from five American ministers and more than 50 American consuls abroad. He was also dealing with the representatives of foreign governments in the nation's capital.

The greatest foreign policy achievement of the Jefferson administration was the purchase of Louisiana from France in 1803. The Louisiana Purchase extended the boundaries of the nation to the Rocky Mountains.

The administration's most serious foreign policy failure arose from the difficulties that Madison encountered in upholding America's neutral rights against infringements from France and Great Britain after those nations commenced another war in 1803. Each belligerent wished to control American trade in order to deny it to the other, and Great Britain further irritated the United States by impressing its merchant seamen into the Royal Navy.

Jefferson and Madison attempted to settle these problems, sometimes by negotiation and sometimes by employing selective trade restrictions, but with no success. By December 1807 Great Britain and France had made it all but impossible for the United States to function as a neutral nation. Following ideas that Madison had long been suggesting to him, Jefferson responded by imposing the Embargo to cut off all foreign commerce.

### **President on the Brink of War**

The Embargo harmed the United States more than it did the European belligerents, however, and Congress repealed it in March 1809, shortly before Madison was inaugurated as the nation's fourth president. Throughout his first term, Madison remained preoccupied by the maritime disputes with France and Great Britain, but a long-standing quarrel with Spain over American claims to the Gulf Coast, particularly to West Florida, came to a head as well.

Madison had to deal with problems both home and abroad. Domestically, he had to cope with serious personality and policy conflicts within his cabinet, most conspicuously between Secretary of State Robert Smith, and Secretary of the Treasury Albert Gallatin.

At times, the administration seemed paralyzed by its divisions, but toward the end of 1810 the president began to achieve some notable goals. In October of that year, he annexed much of West Florida, and in November France eased, to some extent, its attacks on American trade.

In the spring of 1811 Madison replaced Robert Smith in the State Department with James Monroe in order to make another effort to settle the problems with Great Britain. In this he was thwarted, and by July 1811 relations between Great Britain and the United States were at a complete impasse. Accordingly, in November 1811 Madison requested that Congress prepare for war. Eight months later, on June 1, 1812, Madison put the case to the legislature for a formal declaration of hostilities. On June 18, 1812, Congress enacted his suggestion into law.

## **“Mr. Madison’s War”—and Peace**

The start of the war with Great Britain coincided with the presidential election of 1812. Madison was reelected, but his war to capture British forces and possessions in Canada was far less successful.

In fact, the first American invasion of Canada in the summer of 1812 resulted not in a victory but in Brigadier General William Hull's surprise surrender of Detroit and the Michigan Territory, a loss that was not redeemed until September 1813 following the battles on Lake Erie and at the River Thames. In April 1813 American forces also managed to occupy York (now Toronto) in Upper Canada, but they failed to take the more important British positions at Kingston and Montreal. The principal American commander, Major General James Wilkinson, was unable to launch a serious offensive against either place, and he was finally defeated by a numerically inferior British army at Crysler's Farm in November.

Neither were American invasions of Canada in 1814 successful strategically, although in the summer campaigns on the Niagara Peninsula, United States troops under Major General Jacob Brown and Brigadier General Winfield Scott were finally able to demonstrate a degree of tactical competence that compared favorably with that of their British opponents. The battles fought at Chippewa, Lundy's Lane, and Fort Erie partially rehabilitated the reputation of American arms, and they marked an important phase in the professionalization of the United States Army.

The only significant victories achieved by American forces in the War of 1812 were at sea--in engagements with the Royal Navy in 1812-13; and on the far western and southern frontiers--against the Northwestern and Creek Indians.

In his dealings with the indigenous peoples of America, Madison followed the policy established by earlier administrations, namely that Indians had good title to their lands until such time as the federal government negotiated treaties for their purchase. Madison also shared the hope of most of the Founding Fathers that as Native Americans sold their lands, they would abandon their traditional way of life in favor of adopting Euro-American forms of agriculture and household manufacturing. Toward the end of his first presidential term, Madison sensed that the implementation of these policies had been too rapid for some Indians to tolerate, but by then it was too late for his administration to prevent the Northwestern and Creek Indians from joining Great Britain in war against the United States.

These frontier conflicts resulted in the defeat and dispossession of most of the Indian peoples between the Appalachian Mountains and the Mississippi River. However, Madison did not always approve of some of the more extreme tactics adopted by Andrew Jackson and his supporters in dealing with those Indians who had been more friendly to the United States, most notably the Cherokee.

In general, the American war effort from 1812 to 1815 was hampered by poor military leadership, untrained and ill-equipped troops, disputes with state governments over the control of policy and resources, and logistical problems. Madison and his colleagues were not able to overcome these difficulties and the Cabinet's effectiveness was often undermined by serious differences of opinion between Secretary of State Monroe and Secretary of War John Armstrong.

In time, Madison also became dissatisfied with Armstrong's management of the War Department, but his belated awareness of its shortcomings was insufficient to hinder the British when they attacked Washington in August 1814, burning and looting the public buildings, including the Library of Congress, as they did so. The president, his family, and his administration were driven from the capital. When Madison reassembled the government in Washington in September 1814, he replaced Armstrong with Monroe in order to prepare for another year of war.

The conflict ended in December 1814 with a treaty signed at Ghent in the Austrian Netherlands, shortly before Andrew Jackson repelled a final British invasion at New Orleans in January 1815. At that stage, Madison had not achieved any of his goals in the war, but the restoration of peace did not require the United States to make concessions to its enemy. More important, the conclusion of the war in Europe at the same time removed most of the underlying causes of the foreign disputes that had proved so troubling to the United States between 1803 and 1815.

After a short and successful naval war against Algiers in 1815, Madison was able to devote his last two years as president to domestic affairs. The experience of the War of 1812 had persuaded him of the necessity for several measures that he had opposed or to which he had been indifferent in the past--a national bank, a tariff to protect manufacturing and raise revenue, and a constitutional amendment to allow the federal government to undertake ambitious schemes of internal improvement. Madison signed the Second Bank of the United States into law in 1816, thereby abandoning the position that he had adopted in 1791. His last official act and policy decision was to veto as unconstitutional in March 1817 a bonus bill that federally funded the construction of roads and canals. He then retired to Montpelier for the last time.

### **The Troubles and Fruits of Retirement**

Madison enjoyed nearly 20 years of retirement. As he aged, he suffered increasingly from rheumatism; at times he could scarcely hold a pen to respond to his many correspondents. His mind, however, remained as sharp and as perceptive as ever, and he maintained an active interest in the progress of the nation and of his native state. On the latter front, Madison became an advocate of scientific agriculture in order to diversify the economies of both Montpelier and Virginia.

The mix of tobacco and grains that had provided much of the income from Montpelier in the past was no longer lucrative. As a result, Madison experienced the pinch of financial hardship. By the end of his life, debt had compelled him to sell off much of his land and, in one instance, very much against his inclination, some of his slaves as well.

Family problems contributed to Madison's monetary woes. Although his marriage produced no children, Madison had always tried to be a benevolent stepfather and mentor to John Payne Todd, Dolley Payne Madison's surviving son from her first marriage. Todd repaid the kindness with a life of dissipation and gambling. The former president endured the mortification of having to bail his stepson out of prison, while also paying very substantial sums to Todd's creditors. Madison concealed many of these transactions from his wife, who could refuse her son nothing, but the letters that he wrote to Todd in the 1820s and 1830s often make for uncomfortable reading.

Madison's retirement was also increasingly dominated by the problem of slavery. James Madison Sr. had bequeathed more than 100 slaves to his children in his will and Madison continued to maintain a similar number at Montpelier for the remainder of his life. He had never approved of slavery and frequently expressed the wish in his later years that he and the nation might be released from the manifold ills arising from its existence.

Accordingly, Madison supported emancipation, though he also stipulated that masters should be compensated for the loss of their property; that slaves should consent to be emancipated; and that the freed population should thereafter be removed from the nation. In accordance with the last belief, Madison joined the American Colonization Society. He served as its president in 1833 to indicate his support for compensated emancipation to provide for the end of slavery before disputes over its future could destroy the nation.

His conflicted sentiments on these matters were most clearly displayed in his final will and testament, written in April 1835. In this document Madison omitted to free his slaves and left them to his wife, subject to a raft of awkward conditions, namely that none should be sold "without his or her consent, or in case of their misbehaviour, except that infant children may be sold with their parent who consents for them to be sold with him or her, and who consents to be sold."

As for his views about slaves as human beings, Madison seldom spoke in terms that today might be regarded as "racist," but he was not optimistic about the ability of a freed black population to prosper in a post-emancipation America. He based his unhappy opinion equally on the customs of the blacks and the prejudices of the whites.

Beyond the problem of slavery, Madison turned his attention to a variety of other public issues. A firm believer in the value of public education, he joined Jefferson in his retirement project to establish the University of Virginia, becoming its second rector on Jefferson's death in 1826. On the political front, the former president waged a rear-guard struggle in letters and in the

press against the rise of doctrines of nullification and secession, some of whose adherents cited his 1798 Virginia Resolutions and “Report of 1800” as justifications.

Madison’s final advice to his country was that it must preserve the Union at all costs. His last piece of political writing, published in 1835, was "Jonathan and Mary Bull," an extended allegorical essay pleading for a temperate compromise over slavery to preserve the republic he had done so much to create. Having reached the age of 85, Madison died at Montpelier on June 28, 1836, the last of the Founding Fathers.