ESSAY REVIEW

A Case for the Great White Fathers

The Papers of James Madison. Volume 17: 31 March 1797-3 March 1801. Edited by DAVID B. MATTERN, J.C.A. STAGG, JEANNE K. CROSS, and SUSAN HOLBROOK PERDUE. (Charlottesville and London: University Press of Virginia, 1991. xxviii, 610p. Index. $47.50.)

In extremely rare situations we encounter a core document or letter that reveals an extraordinarily disproportionate insight into a society, a nation, or an important individual. One thinks, for example, of Jefferson's letter on the "head and heart," or John Adams's letter to his wife about having to study politics and war so that his sons could study mathematics and philosophy. Another such letter was written by James Madison to Thomas Jefferson on December 29, 1798. Madison, although bitterly opposed to the Alien and Sedition laws, was concerned that Jefferson's Kentucky Resolutions advocating the nullification of such federal laws by state legislatures, had gone too far. Madison's Virginia Resolutions had voiced unequivocal support for the Constitution and the national government. "It is to be feared," he wrote Jefferson, "their [those opposed to the Alien and Sedition laws] zeal may forget some considerations which ought to temper their proceedings. Have you ever considered thoroughly the distinction between the power of the State, and that of the Legislature, on questions relating to the federal pact" (p. 191).

In this letter, published in volume 17 of *The Papers of James Madison*, there is encapsulated much of what we need to know about Madison, Jefferson, and American political history in the early national and antebellum periods. We learn that Jefferson is the fervent leader of the opposition party, willing to initiate extreme measures to overthrow the Federalists and assume power. Madison, opposed to the Federalists and the Alien and Sedition laws, is the political theorist of the Republicans. It is Madison who immediately comprehends the implication of the nullification doctrine and is sufficiently concerned and prescient to foresee its consequences. This letter starkly reveals the battle lines in 1800 between Federalism and Republicanism. It points to a future political and sectional division that will threaten the fabric of the Constitution and national government (Madison's creation as much as any man's) within Madison's and Jefferson's lifetime; and, it foreshadows the great conflict that will materialize more than half a century in the future.

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But does one document justify a volume? And, more to the point, are the big, multi-volume editions like *The Papers of James Madison* worth the "money" (a question frequently asked of editors by historians)? Leonard Levy, in a review of volumes 4-7 of *The Papers of James Madison* in the 1972 *Journal of American History* thought not. Not only did he not like the way the volumes were edited, he dismissed their usefulness and advised historians not to " . . . lose any time in reading these volumes." Levy, a smart man, ought to have a better sense and appreciation of what historical editors do. As historians we are all anxious to use the document; but as editors we bring a specialized approach to study and examine the document. It is the editors' task of focusing on the documents, superbly done in volume 17, which should be of interest to Levy. In analyzing Madison's writings during the years 1797-1801, the editors determined not to publish the *Address of the General Assembly to the People of the Commonwealth of Virginia* (January 23, 1799) because there is no evidence that it was written by Madison. The *Address*, ascribed by all previous editors of his papers to Madison, has been used by Levy, as well as other legal historians and biographers of Madison, as crucial evidence for Madison's original intention when he drafted the First Amendment. Levy, in *The Emergence of a Free Press* (pp. 319-26, cited by the editors, p. 200), argued that Madison, like most of his countrymen who were concerned about this issue, had a limited view of a free press when he drafted the amendment, and that he maintained this view until he "quickly" and "dramatically" changed his mind in 1799. Levy's major proof consists of a comparison of the *Address* to the *Report of 1800* (drafted in December 1799). In the former document, according to the editors, there was "left open the possibility of punishing 'libellous writing or expression' in state courts." In the *Report*, indisputably authored by Madison, this possibility is denied. Here was the evidence, according to Levy, that Madison's view of a free press changed from the restricted, common-law sense, which he intended in the First Amendment, to a much more expanded protection that is closer to our conception of a free press. Unfortunately, the evidence for this dramatic change is tied to Madison's authorship of the *Address* of 1799. Without that document, we have no solid basis for Levy's claim that Madison changed his earlier view of freedom of the press, and that this view of a free press in 1789 or 1791 was limited by the common-law sense. One hopes that Leonard Levy will take advantage of this finding in subsequent editions of *The Emergence of a Free Press* and change his view of the value of historical editions.

In recent years strong arguments have been made against the publication of complete letterpress editions of the founding fathers. Would volume 17 of *The Papers of James Madison* strengthen those arguments? What kinds of documents does the volume contain? Knowing that Madison spent most of the years covered in this volume in "retirement" at Montpelier, we might expect that he would have a more generally passive, reactive role in Republican circles. A truth-in-

advertising law for documentary editions would require me to state that of the 302 documents in this volume (there is, in addition, a "Supplement" of 1778-1795 documents), including abstracts, only 90 (in some degree) are authored by Madison. Deducting the abstracts leaves only 76 letters from Madison during these years. Moreover, of the 302 total, 102 are letters to and from Jefferson (48 of which are from Madison to Jefferson). Assuming that Madison's letters to Jefferson will also be published in *The Papers of Thomas Jefferson*, (and not counting twice the two abstracts of letters from Madison to Jefferson) leaves 30 documents authored by Madison.

This low document count, along with Madison's inactivity during these years, would appear to make a good argument against the publication of a complete edition and, by extension, against complete editions for other founding fathers. Or, to put this another way, if the case against complete editions cannot be made with volume 17 of *The Papers of James Madison*, it cannot be made at all.

Almost fifty years ago the historian of the Thomas Jefferson Bicentennial Commission, Julian Boyd, proposed publishing the Jefferson papers in a complete letterpress edition. Boyd's proposal, later enthusiastically supported by President Truman, was predicated on the notion that Jefferson's importance justified the time and expense of the effort. A handful of men in the early republic deserve such treatment. They are so intricately tied to the founding of the republic that the process of the creation of the nation is inseparable from their complete lives. James Madison is one of this small group of indispensable leaders. Although he temporarily "retired" from public life in 1797 to devote his energies to his plantation at Montpelier, during the late 1790s he is the most important intellectual, the most astute political theorist, and the essential ballast of the Republicans. The letters in this volume demonstrate that Republican officeholders during these years, in their fierce struggle against the Adams administration, looked to Madison for advice and direction. Monroe sought advice on how to respond to attacks on him by President Adams, Jefferson turned to Madison for aid in the Republican counterattack on the Alien and Sedition laws, for methods and tactics as well as to points of law and political theory. When the presidential election of 1800 was deadlocked between Jefferson and Burr, and the Federalists attempted to block Jefferson's ascendancy, anxious Republicans in government, such as John Dawson, wrote to Madison to seek his advice: " . . . how are we to act? The constitution appears to me defective—who is to be president? In short, what is to become of our government?" (p. 433).

The letters in this volume show not a "retired" political figure at his plantation (rather unfortunately, there are few letters dealing with Madison's life as a planter or his "private" family relations) but a central actor in Republican circles: Madison giving advice; his correspondents seeking his advice; Madison remaining cool, rational, and steady; his correspondents in danger of spinning off into helpless lack of direction or extreme political actions. Even with Madison

"retired" during most of these years, there seems to be no better way of following Republican opposition politics then in reading his correspondence with other Republican leaders. Historians should not be fooled by a table of contents "analysis" into thinking that Madison's role was passive.

The Papers of James Madison have been criticized for excessive annotation, and good argument can be made that this edition and most other editions currently being published are heavily annotated. Obviously, a reduction in the annotation would make room for more documents in each volume and speed up publication. If put to the rack, editors of historical documents would acknowledge that it is the annotation that takes the time. The *Papers* have long footnotes and headnotes on the political events of these years. The headnotes should have been indicated in the table of contents and it would have been helpful if the documents had been numbered. In general, however, these notes are succinct and well done, and they are necessary if the reader (and I am referring to the specialist in early American history, not some mythical "intelligent lay reader") is to understand what is happening. The quality and type of annotation found in *The Papers of James Madison*, and other historical editions, represents a new kind of scholarship. Bernard Bailyn was perhaps the first to grasp the nature of this special scholarship in twentieth-century documentary editions. In his review of seven volumes of *The Papers of Thomas Jefferson* in the *New England Quarterly* (September 1960), Bailyn perceived that the editors had not merely presented Jefferson in the linear dimension of ordinary biography, but had invented a new scholarship aimed at creating a grid pattern of his existence—an exhaustive commentary of his "recorded" actions. The portrait of Jefferson created in this edition resulted in "a kind of density . . . that no biography, no matter how extensive could possibly convey." Bailyn did not fully account for this new scholarship, but perhaps one reason for its added dimension is the collective authorship of these volumes (from singular scholar to plural editors). Historical editing may be the first sustained team approach in American historiography, a phenomenon sometimes sadly unrecognized by bibliographers and scholars in their citations, book reviewers in their headings, and senior editors in general.

All of the scholarly accomplishments of volume 17 of *The Papers of James Madison* would be worthless if the transcripts were not reliable. A random sample of twenty-five transcripts (letters written by Madison) was checked against the originals at the Library of Congress. There were a few instances in which a different spelling of a word was possible, or a crossout that looked sufficiently significant to be noted, but this reviewer found no errors, no variant readings that would affect the meaning of the document. The editors are to be congratulated for their fine work on the transcriptions. Volume 17 of *The Papers of James Madison* exemplifies what is best in historical editing. It combines the diligent and scrupulous transcription of documents with comprehensive historical reconstruc-

tion of the documents' context. Such undertakings provide American historians with a more complete picture of lives and events than we have yet had. This volume, along with others in the series, represents a leap forward in American historiography and our understanding of the early republic.

The Peale Family Papers SYDNEY HART