

David B. Mattern, J.C.A. Stagg, Jeanne K. Cross, and Susan Holbrook Perdue, eds., *The Papers of James Madison*, vol. 17. *31 March 1797-3 March 1801 with a Supplement 22 January 1778-9 August 1795*. Charlottesville, Va.: University Press of Virginia, 1991. xxviii, 610 pp. \$47.50.

This volume brings to a close the first major segment of this major project, carrying the political career of James Madison down to the eve of his nomination

as Secretary of State in the new administration of his close friend and political ally, Thomas Jefferson. The editors of the Madison papers have already published inaugural volumes for the two succeeding series, covering Madison's tenure as Secretary of State (1801-1809) and President (1809-1817). Presumably when those are completed, they or their successors (or their descendants?) will move ahead with the rich corpus of personal papers and correspondence that demonstrated just how vital and sophisticated a thinker Madison remained during the two decades of his retirement. Like their counterparts in companion projects—most notably the papers of Jefferson, Benjamin Franklin, and John Adams—the editors of the Madison papers still face a daunting prospect ahead of them. But all of us who have benefitted from their labors thus far can only hope that the completion of this first outward bound leg of the project will inspire the editors to plunge on with renewed energy.

This volume opens in the early spring of 1797, with Madison retiring to Montpelier after completing his fourth and final term in the House of Representatives. For the first time since a brief interlude in 1784, he was out of office; just turned forty-six years of age, and married only two and a half years, Madison was for a time content to busy himself with domestic activities, including a major expansion of the mansion at Montpelier for which he ordered half a ton of nails from Jefferson's "nailory" at Monticello. By retiring to Virginia while Jefferson returned to office as Vice-president to John Adams, the two Virginians were in effect trading places as party leaders. For it was only after 1797 that Jefferson eclipsed Madison as the most visible and active leader of the Republican opposition. Madison's own retirement from politics, however, was brief. Deeply mistrustful of the new President, Madison observed the onset of the Quasi-War with France and the accompanying domestic legislation passed by a Federalist-dominated Congress with mounting alarm. Even before accepting election to the Virginia assembly in the spring of 1799, he drafted the Virginia Resolutions of 1798 that hold so prominent a place in the evolution of his politics and political thinking.

Historians should find volume 17 a noteworthy conclusion to this first major phase of *The Papers of James Madison* on several counts. First, it provides a marvelous compendium of political correspondence spanning the period that began with the Republican leaders being driven into a position of dissent and political marginality but which offered increasing grounds for optimism the nearer they came to the decisive election of 1800. Madison's most informative and frequent correspondent was Jefferson—the author of more than fifty letters in this volume alone—but he was also in regular contact with such other leading Republicans as James Monroe, John Taylor of Carolina, and John Dawson. Taken together, these letters offer detailed evidence of Republican perceptions of administration policies and events overseas—and especially of Madison's appreciation of the capacity of the executive branch to manipulate foreign relations for its own advantage—and their efforts to frame a viable strategy of opposition both nationally and especially within Virginia. On many of these issues, Madison's comments provide a sharp and pungent contrast to the more decorous and nuanced prose he reserved for his public papers. Volume 17 also illustrates how Madison hoped to apply his characteristically intellectual approach to politics to the Republican cause by reprinting the Virginia Resolutions of 1798 and the legislative Report of 1800 that Madison subsequently drafted when to defend Virginia's actions against criticisms from other states. Though this document was too labored—in a sense, too Madisonian—to have the political effect its author might have hoped, it remains a valuable statement of Madison's constitutional thinking. Of particular importance to legal historians

are those passages of the Report considering whether or not there could be a federal common law of crimes under the Constitution. Here the editors provide a valuable service by reprinting a set of notes upon the same issue prepared by Edmund Randolph and subsequently consulted by Madison while drafting the Report.

One last remark needs to be made about this volume. Through ingenuity and perseverance, the editors have discovered the whereabouts of more than a hundred letters written to Madison and his father by Edmund Pendleton, the distinguished legislator and jurist who was Madison's first political patron. The Supplement to this volume reprints thirty-seven of these letters, spanning the years 1782-1795 and including a particularly detailed commentary on the Judiciary Bill of 1789. If there are no smoking pistols here, it is nevertheless always a cheering reminder to historians to know that new evidence about the past can still turn up.

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