The Papers of James Madison.

By James Madison and Edited by David B. Mattern, et al. *Retirement Series*, Vol. 2. Charlottesville and London: University Press of Virginia, 2013, 768 pages, $85.00 Cloth.

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This is the second volume in the *Retirement Series* of *The Papers of James Madison*, covering the dates of February 1, 1820 to February 26, 1823. As part of the definitive edition of Madison's writings both public and private, it deserves a place in the American history collection of any research library for the insights it offers not only into Madison's thought and life but also the ongoing development of American political culture and institutions during the era.

During the period covered by the volume, Madison was largely at home at Montpelier, with occasional visits to local friends or travel related to his role as a member of the Board of Visitors for the University of Virginia (the volume includes the minutes of those Board of Visitors meetings attended by Madison). Much of the correspondence provides evidence of Madison's broad interest in projects designed to ensure the progress and enlightenment of the American people in the form of his correspondence related to various appeals and pamphlets promoting agricultural and educational innovations. Madison always responded with words of gracious encouragement to the instigators of such exchanges, often framing his remarks in terms of the potential value of such efforts to forge a more unified national culture that would complement the political union of the states (see, for example, 131–132, 309, 312, 394). The editors also include several accounts of life at Montpelier written by visitors to the Madisons and published in period newspapers. The latter reflections combine with the large percentage of the correspondence relating to the ordinary business of plantation life to offer the social historian tantalizing bits of evidence on a wide-range of topics, from discussion of the tobacco market (along with receipts from Madison's sales agent) to descriptions of a typhoid epidemic at Montpelier.

Madison, of course, was not simply any tobacco farmer with a passing interest in the affairs of the day. By far the most substantive letters in the volume come from Madison's exchanges with Thomas Jefferson, President

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James Monroe, Tench Coxe, Richard Rush, and Lafayette, each of whom engaged Madison in ongoing discussions of political issues with a mixture of erudition and candor. Two interconnected themes of particular interest to scholars of the period will be Madison's comments on the perennial problem of slavery, especially as related to the immediate political question of the admission of Missouri to the Union, and the broader issue of proper constitutional interpretation.

The contentious sectional debate over the admission of Missouri convinced Madison that the existence of slavery was not only a "sad blot on our free Country"(406) but also the single greatest threat to the continued existence of the Union. While Madison's correspondence contains repeated expressions of his abstract desire to see the institution come to an end, the volume also reveals his unwillingness to disturb the original terms of the fragile compromise between the free and slave states. The volume's editors have included the full text of an allegory Madison wrote (the story of Jonathan Bull and Mary Bull) that indicates he strongly believed the compromises made in relation to slavery in the drafting the Constitution were fully intended to apply to new territories as well. The editors have also provided helpful notes about the composition and publication history of the text that will be of interest to scholars (see pages 444–451).

The pamphlet is an especially dramatic example of Madison's staunch commitment to a literal reading of the text of the Constitution, and of the sometimes torturous method he used to reason his way to such a reading when the questions at hand were of a less-than-obvious nature. Indeed, Madison's characteristically subtle and prudential reading of Constitutional ambiguities is ably demonstrated in his framing of the legitimacy (or illegitimacy) of Congressional limitations on the extension of slavery into the territories: while on one reading, it seems an unwonted extension of national power, he allows that "the Constitutional phrase 'to make all rules &c' as expounded by uniform practice, is somewhat of a ductile nature, and leaves much to Legislative discretion"(17). Note that Madison's interpretive guide here is "practice" and not an appeal to either the intentions of the Constitutional framers or some more abstract standard; it is to the actual working-out of the text through the political process that Madison turned when its meaning seemed elusive.

Indeed, even at his most philosophical, Madison was statesmanlike in

his pragmatism: continuing his musings over the Missouri question, he wrote: "The question to be decided seems to be 1. whether a *territorial* restriction be an assumption of illegitimate power, or, 2. a misuse of legitimate power: and if the latter only, whether the injury threatened to the nation from an acquiescence in the misuse, or from a frustration of it, be the greater"(17). Hairsplitting though this might be, what mattered most to Madison was that the power itself be legitimately within the purview of the constitutional grant of power to Congress; his concern about the question of use or misuse comes down ultimately to a sort of political cost-benefit analysis.

One may wonder how consistent this is with his appeals (repeated to a variety of correspondents throughout the volume) to the records of the debates of the various state ratifying conventions as the ultimately authoritative source of Constitutional meaning. Where the text itself was ambiguous, Madison wrote, "the legitimate meaning of the Instrument must be derived . . . in the sense attached to it by the people in their respective State Conventions where it recd. all the authority which it possesses"(381). Moreover, whatever the personal interpretative preferences of the nation's political leaders, "it was the duty of all to support [the Constitution] in its true meaning as understood *by the Nation* at the time of its ratification"(442). To do otherwise, he argued, was to subvert the value of a written fundamental law and with it, the core principle of republicanism. Despite their superficial differences, both aspects of Madison's interpretive framework share, however, a respect for the wisdom of "the people" as the best arbiters of their political heritage, an attitude that belies the criticisms sometimes leveled against Madison as the author of an attempt to turn republican government into a self-winding clock as far removed from the popular will as possible (see Richard Matthews, *If Men Were Angels: James Madison and the Heartless Empire of Reason* [1995]).

In addition to these reflections on constitutionalism, much of the correspondence in the volume contains information of interest to the student of honor and the politics of reputation in the early republic. Madison received many requests from friends and acquaintances for favors such as letters of introduction, the worth of which obviously depended upon not only the reputation of the person being recommended but also that of Madison himself as recommender. He also paid scrupulous attention to the way cop-

ies of previous correspondence or remembrances of respected forefathers to be collected in family histories, etc., were handled: in a letter to Martin Van Buren drafted but not sent from roughly April 25, 1820, Madison rebuked the younger politician for inappropriately allowing some of their correspondence to be published and thereby exposing Madison to criticism for his participation in partisanship(59). He was similarly concerned for the reputations of others, and on one occasion advised a friend's son to avoid publishing certain letters which the father had written to Madison containing remarks about various notable persons which "may be displeasing" to them(342). To a certain extent, this concern for personal honor was merely an extension of Madison's constitutional musings, all of which were intended to ensure that the reputation of republicanism not be unduly damaged by an American mishandling of the concept. By protecting the reputations of those individuals most closely associated with the institutions and exercise of the new government, Madison was protecting the regime itself: it was an application on a small scale of his overwhelming concern that the American "example of a free system . . . be more of a pilot to a good port, than a Beacon, warning from a bad one"(158). What stands out most in this volume, then, is the extent to which Madison had not yet truly "retired" but rather remained an active partisan on behalf of the American experiment in self-government.