

The Mind of James Madison

The Legacy of Classical Republicanism

Colleen A. Sheehan



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Villanova University



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The Mind of James Madison

This book provides a compelling and incisive portrait of James Madison the scholar and political philosopher. Through extensive historical research and analysis of Madison's heretofore underappreciated 1791 "Notes on Government," this book casts Madison's scholarly contributions in a new light, yielding a richer, more comprehensive understanding of his political thought than ever before. Tracing Madison's intellectual investigations of republics and philosophers – both ancient and modern – this book invites readers to understand the pioneering ideas of the greatest American scholar of politics and republicanism – and, in the process, to discover anew the vast possibilities and potential of that great experiment in self-government known as the American republic.

COLLEEN A. SHEEHAN is Professor of Politics and Director of the Matthew J. Ryan Center for the Study of Free Institutions and the Public Good at Villanova University, where she teaches courses in American political thought and politics and literature. She has served in the Pennsylvania House of Representatives and is currently a member of the Pennsylvania State Board of Education. She is the author of *James Madison and the Spirit of Republican Self-Government* (Cambridge, 2009); the coeditor of *Friends of the Constitution: Writings of the Other Federalists 1787–1788* (1998); and the author of numerous articles on the American founding and on eighteenth-century political and moral thought, which have appeared in such journals as the *William and Mary Quarterly*, *American Political Science Review*, *Review of Politics*, and *Persuasions: The Jane Austen Journal*.

“This is the most important book published on James Madison in my lifetime. It makes available to the general public for the first time in its original form a little book, known as ‘Notes on Government,’ that Madison began drafting, as a sequel to *The Federalist*, while he was a Congressman in the early 1790s. Moreover, it makes this unfinished treatise available in a critical edition with detailed notes citing the passages from earlier works that Madison references; and, as a supplement, it provides an elaborate, readable introduction, tracing the evolution of Madison's thinking and analyzing this neglected work. Scholars will find this book indispensable. Students of the American founding and of American government more generally will be forced to rethink.”

– Paul A. Rahe,
Charles O. Lee and Louise K. Lee Chair in the Western Heritage,
Hillsdale College

“Colleen Sheehan places James Madison's ‘Notes on Government’ in the history of political thought and thus further reveals Madison as a political philosopher and not just a partisan tactician. In addition to this important discovery, she has included Madison's ‘Notes’ in a book that is now indispensable for seminars in American political thought and the early republic.”

– Jeremy D. Bailey,
Ross M. Lence Distinguished Teaching Chair
and Associate Professor,
Political Science and Honors,
University of Houston

For my mother and the memory of my father

*“Mr. Maddison is a character who has long been in public life;
and what is very remarkable every Person seems to acknowledge
his greatness. He blends together the profound politician,
with the Scholar.”*

*William Pierce of Georgia,
delegate to the Constitutional Convention*

Preface

Winston Churchill once said that a man has to choose whether to nail his life to the cross of thought or the cross of action. But Churchill managed to do both and to do them well, although it is surely the case that we remember him more for his statesmanship. Like Churchill, James Madison was both a statesman and a scholar, as William Pierce of Georgia noted in his character sketch of “Mr. Maddison” at the Constitutional Convention. Americans are more aware of Madison as the fourth President of the United States than they are of his scholarly writings. I think, though, that it was in the realm of ideas rather than practical political jockeying that Madison most excelled and found his vocation. He was a good but, honestly, not great politician. While he had a natural aptitude for legislative committee work, he was a poor orator. He was, however, an exceptional scholar of politics and political philosophy and, in particular, a brilliant pioneer in the study of republican government in the modern world. The following pages are meant to acquaint readers and citizens with Madison’s discoveries and groundbreaking ideas as he engaged in a study of ancient and modern republicanism. Readers are also invited to experience with Madison the excitement he felt when he believed he had discovered the republic “for which philosophy has been searching, and humanity been sighing, from the most remote ages.”¹

Shortly after the formation of the new Constitution and the publication of *The Federalist* essays, and immediately following the close of the first session of Congress in March 1791, Madison burrowed in among his papers and books in his rented room at Mrs. House’s Boarding House on 5th and Market in Philadelphia. His plan was to investigate further the problems and prospects

¹ “Spirit of Governments,” *PJM*, 14:234.

of republican government. To accomplish this “little task,”² he engaged in extensive research into diverse texts of history and political philosophy, and he penned an outline portending a comprehensive treatise on politics.

Many years ago, when I first discovered his outline and the accompanying notes, I was both intrigued and perplexed. The “Notes on the Foundations of Government,” as William B. Allen first referred to them (or what I refer to as the “Notes on Government”), clearly indicated a vast and rich inquiry into the foundations of government. At the same time, they seemed like a mosaic with some of the pieces missing or in shards. Enough of the mosaic was there to know I was looking at something of potentially very great value; enough was missing that I knew I had my work cut out for me for some time to come. Like Madison, I would have to burrow in among my books and papers to complete my task.

Following Madison’s mind through the “Notes on Government” has required as much patience as it has research. After extensive investigation and study, I began fitting the pieces of Madison’s intricate mosaic into place, and in time, the perplexing gave way to a pattern of understanding. Madison’s project in the “Notes” sought to answer the following challenging questions: Can republican government – government by the people – be rescued from the internal diseases and external dangers that so often meant its demise throughout history? Could a remedy be found for these ailments that had eluded the classical philosophers? How did the protections for liberty that Montesquieu advanced shield individuals from the arbitrary and capricious actions of men in power? Did Montesquieu’s robust and pivotal defense of liberty in *The Spirit of Laws* constitute the final remedy or did the celebrated French philosopher neglect, overlook, or sacrifice too much? Would it be possible – is it desirable – to reclaim the classical dedication to the cultivation of civic character that Montesquieu abandoned without jeopardizing the security of individuals against arbitrary power?

Given the nature of Madison’s “Notes on Government,” this book is necessarily a work of literary archaeology. Textual sites are mapped out for exploration; as Madison excavates one, he prepares the ground for the next. His intellectual journey brings us to stops along the way that are rich and varied. At the end of his travels, Madison arrived at a place that was, from his prospect, a political landscape of philosophical elegance.



In seeking to explore, understand, and explain the mind of Madison, I have tried to remain as true as possible to Madison’s own work as well as to how he would have read and understood the thinkers and texts he studied. Accordingly, I have consulted Madison’s handwritten manuscript of the “Notes on Government” and associated materials; the transcriptions of these

² Madison to Jefferson, March 13, 1791, *PJM*, 13:405.

documents are included in Part II of this work. I have included in Part II writings by Madison that he cited in the “Notes on Government,” except *The Federalist* and his *Notes of Debates in the Federal Convention of 1787*, which are much too lengthy to include and are readily available in print or online. I have annotated Madison’s works for the ease of the readers. Where Madison refers to a specific text, I provide the pertinent passage. Jean Jacques Barthélemy, whom Madison cited heavily, often referenced other works, and I have also included his notes. For the sake of clarity, I have continued to number my own footnotes and have lettered and indented Barthélemy’s footnotes. For the *National Gazette* essays, which are not in the collection of Madison’s papers held by the Library of Congress, I have transcribed these articles from their originally published newspaper format. In some of these newspaper essays, Madison included references. These are indicated with an explanation at the start of the note.

I have also attempted to discern whether Madison would have read a given text in translation or in the original. With regard to Barthélemy’s *Voyage du Jeune Anacharsis en Grèce* (*Travels of Anacharsis the Younger in Greece*), he read these volumes in the original French. (Thomas Jefferson sent these volumes to him in 1789, shortly after they were published.) I have used the only English translation published of Barthélemy’s work and checked it against the original French, correcting the translation whenever necessary. If more than one English translation is available for texts Madison read (or probably read) in the original – for example, in the case of Montesquieu’s *The Spirit of Laws* and Aristotle’s *Politics* – I have used the most literal translation available today.

Acknowledgments

I am indebted to the Earhart Foundation and in particular to Ingrid A. Gregg and David Kennedy for their generous support of my research for this volume.

As this project has been in the offing for some years, a host of fine graduate students have contributed to this work. I am grateful to them for their dedication, willingness to wrestle with complex ideas, and patience with some very messy handwriting in a few of the original eighteenth-century documents. To Laura Butterfield, Andy Bausch, Kasey Neil, Charles Meyers, Sam West, Clyde Ray, and Graham Gormley, I extend my sincere thanks. You have done yeoman's work, which (as you know) Madison would have considered a virtue.

I am grateful to David Mattern of the University of Virginia's Papers of James Madison Project for his knowledge and kind assistance with corrections to the "Additional Notes on Government," as printed in Part II of this volume. Indeed, I owe a special note of gratitude to the editors of *The Papers of James Madison*. Their painstaking labor and exceptional editing of Madison's writings for decade upon decade has greatly enabled and enhanced contemporary scholarship on Madison. In my own case, it was in the volumes they produced that I first read Madison's correspondence and writings at length and encountered his ideas in detail. As a graduate student, I remember anticipating the publication of each new volume, saving my meager wages for months to be able to make each purchase. My debt to these editors is profound, and it is one I cannot readily repay.

Brian Satterfield and Mark Shiffman, colleagues of mine at Villanova, have kindly helped with certain French, Latin, and Greek translations of texts cited by Madison in the "Notes on Government" and Party Press Essays. It is always a nice excuse to impose on them for their accrued wisdom and acumen – just to have the chance to spend a bit more time in company and conversation with them.

I would not have been able to pursue research on the subject matter of this book if it were not for the expertise of Bente Polites, Special Collections

Librarian of Falvey Memorial Library at Villanova University. Early on in this venture, Bente was able to obtain some rare French texts for me to study, without which I would have had to abandon this project. She also directed the library's purchase of Barthélemy's *Travels of Anacharsis the Younger in Greece* (1806) and supported the digitization of this work by Michael Foight, Special Collections and Digital Library Coordinator at Falvey Library.

Renowned scholars and good friends Ralph Lerner and Paul A. Rahe have generously read earlier drafts of this manuscript and have offered extensive comments and suggestions. Their knowledge of ancient and modern political philosophy and the depth of their thoughtfulness are unsurpassed. They have prompted me to rethink and refine some of my ideas in this text, and I believe the volume is stronger and will be of more lasting value as a result.

I owe an especially great debt of gratitude to my mentor and dear friend Bill Allen, who has been an inspiration to me in my study of Madison and the American founding over the course of many years. His profound understanding of the American republic is matched only by his consummate dedication to its principles.

In the last phase of the work on this volume, I had the assistance of two incomparable graduate students: Brenda Hafera and Alexios Alexander. We met together almost every day for a number of weeks at the Ryan Center at Villanova. During that time, we transcribed, we edited, we disputed grammar, we debated ideas, and we engaged in more than our share of raillery. Despite all the long hours and hard work, we knew we were fortunate to be spending our time together thinking about the most fundamental questions of free government.

I also want to thank, most deeply and sincerely, Lewis Bateman of Cambridge University Press. Over the course of our last project and this current one, Lew has put up with me like a family member who tolerates the foibles and unpunctuality of another.

My husband and best friend, Jack Doody, has always been exceptionally supportive of my scholarly research and work and of my penchant for virtually "living" in the eighteenth century. Indeed, he has not been averse to sharing a wintry Sunday afternoon with me gossiping about our good friends: Mr. Madison and Mr. Jefferson (or Mr. Darcy and Elizabeth Bennet, for that matter). I cannot thank him enough for his willingness to share with me what I love so much.

This book builds on the original preliminary work I did on the "Notes on Government" ("The Politics of Public Opinion: James Madison's 'Notes on Government,'" *William and Mary Quarterly* 49, no. 3 [1992]: 609–27). It is an extension of the work I began in *James Madison and the Spirit of Republican Self-Government* (Cambridge University Press, 2009), particularly Chapter 7. The discussion of David Hume's views herein draws freely on "Public Opinion and the Formation of Civic Character in Madison's Republican Theory," *Review of Politics* 67, no. 1 (2005): 37–48.

Abbreviations for sources

<i>The Federalist</i>	Hamilton, Alexander, James Madison, and John Jay. <i>The Federalist Papers</i> . Edited by Clinton Rossiter. New York: Mentor Books, 1999.
LOC	Madison, James. <i>The James Madison Papers, 1723–1836</i> . Library of Congress. http://memory.loc.gov/ammem/collections/madison_papers/ .
MJM	Sheehan, Colleen A. <i>The Mind of James Madison: The Legacy of Classical Republicanism</i> . Cambridge: Cambridge University Press, 2014.
<i>Politics</i>	Aristotle. <i>Politics</i> . Translated by Carnes Lord. Chicago: University of Chicago Press, 1984.
PJM	Madison, James. <i>The Papers of James Madison</i> . Edited by William T. Hutchinson, William M. E. Rachal, Robert A. Rutland et al. 35 vols. to date. Chicago and Charlottesville: University of Chicago Press and University Press of Virginia, 1962–.
PTJ	Jefferson, Thomas. <i>The Papers of Thomas Jefferson</i> . Edited by Julian P. Boyd and J. Jefferson Looney et al. 48 vols. to date. Princeton: Princeton University Press, 1950–.
SOL	Montesquieu, Charles de Secondat, Baron de. <i>The Spirit of the Laws</i> . Translated by Thomas Nugent. New York: Hafner Press, 1949.
Voyage	Barthélemy, Jean Jacques. <i>Voyage du Jeune Anacharsis en Grèce dans le Milieu du Quatrième Siècle Avant l'Ère Vulgaire</i> . 8 vols. Paris, 1788. Barthélemy, Jean-Jacques. <i>Travels of Anacharsis the Younger in Greece</i> . Translated by William Beaumont. 7 vols. and an eighth in quarto. London: J. Johnson et al., 1806. The English translation is used herein and has been digitized by Michael Foight, Special Collections and Digital Library Coordinator, Falvey Memorial Library of Villanova University.

- WJA Adams, John. *The Works of John Adams*. Edited by Charles Francis Adams. 10 vols. Boston, 1850-1856; Reprint, Freeport, NY: Books for Libraries Press, 1969.
- WJM Madison, James. *The Writings of James Madison*. Edited by Gaillard Hunt. 9 vols. New York: G. P. Putnam's Sons, 1900-1910.

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Best distribution of ~~space~~ people in Republic 82

The articles in this volume were written after the commencement of the new government, as is ~~proven~~, among other circumstances, by frequent references to "Federal Anarchism," first published in 1789.

Handwritten page from James Madison's "Notes on Government." In addition to functioning as an outline and table of contents for his "Notes on Government," this handwritten page displays the contour of Madison's comprehensive project in political philosophy.

Source: Courtesy of James Madison Papers, Manuscript Division, Library of Congress, mjm 28_1771-1794



R. Smith's Brewery, 20 South 5th Street, Philadelphia, PA, 1859. Prior to becoming a brewery in the mid-19th century, this building on the corner of Philadelphia's 5th and Market Streets was under the care of Mary House. It was in her stately Boarding House that James Madison resided while researching and developing his "Notes on Government" in 1791. This is also where he stayed during the Constitutional Convention in the summer of 1787, and in general when he resided in Philadelphia from 1780 to 1793.

Source: Courtesy of Free Library of Philadelphia, Print and Picture Department

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