



## Jeffrey Birnbaum's James Madison Day Address

It's a pleasure to be here in this beautiful place on such a momentous day. James Madison would have been proud to see what a fine institution bears his name. And I am grateful for the opportunity to speak to you on James Madison Day. Before I begin I would like to admit that I am not a Ph.D. historian. I am a journalist and author of four books about modern-day Washington, D.C., so I apologize in advance to anyone here who in fact is a Ph.D. in history. I write the first draft of history. You write the real stuff. I am an admirer of your work.

Now, that isn't to say that I shouldn't be here. On the contrary, I am a long-time admirer of Madison, a student of his life, and more than anything else, a student of his vision of politics and how, remarkably, it is still so relevant and important today.

I am the Washington bureau chief of a major national publication, Fortune magazine. My job is to watch the odd goings on there, in the nation's capital, which can be a daunting task. I must say, though, it is made easier by the insights of man who two centuries ago foresaw the clash of factions, and understood how to harness them into a great republic. That man is James Madison. I am humbled by how little I add to his vision no matter how long I work at my craft.

Today I would like to take a moment to explain and to praise the many ways that Madison impacts our culture and our daily lives through his political philosophy, especially the three brilliant documents that he played such a large role in creating. The Federalists Papers, the Bill of Rights and the Constitution of the United States.

Madison was born in Port Conway, Virginia in 1751, the son and namesake of a leading squire of Orange County. He lived for 85 years at Montpelier in the magnificent Blue Ridge Mountains. He graduated from the College of New Jersey, later Princeton University, in just two years and suffered as a youth with health problems. He was diminutive, 5-feet, 6-inches tall and frail in appearance. He talked in barely a whisper. And he was reticent by nature. It took him six months to even gather himself enough to take the floor of the Continental Congress in 1780. But make no mistake; he was a giant among men. He was the fourth president of the United States and one of the founding fathers of his country. He was, in fact, considered the father of our Constitution, the most hallowed document in the history of our republic. It is fair to say that there may not have been a United States of America if there had been no James Madison.

It is difficult to summarize the life of man who is so influential, but one historian tried. He said, "In a distinguished public career that covered more than 40 years, Madison worked for American independence, helped establish the government of the new nation and went on to participate in that government of the new nation and went on to participate in that government as a congressman, secretary of state and ultimately, of course, President." Madison's greatest and most lasting contribution was his work on the Constitution. He is largely considered responsible for the Bill of Rights, the first 10 amendments to the Constitution. The religious and intellectual freedoms that are codified by the Bill of Rights are matters that we now take for granted. But make no mistake. They are a legacy of James Madison and we owe him a major debt.

Oddly, we have extended illness to thank for the legacy. I'm only partly kidding. From 1772 to 1775, Madison remained cloistered in Montpelier, his family homestead, in what he said was poor health. He devoted his time to reading literature and the law. At first he took to the arts, such as poetry and plays. But gradually he came to believe that public affairs were a greater and more substantive challenge. He wrote that what he called "the amusing studies" "deserve but a small portion of a mortal's time. And that something more substantial, more durable, more profitable, befits a riper age." We should all be grateful that he remained sickly long enough to discover political philosophy.

Madison recovered enough to be elected a delegate to Virginia's Constitutional Convention in 1776. By then he was committed to a republican form of government and to separation of the American colonies from Great Britain. He worked closely with another Virginia legislator named Thomas Jefferson and drafted a plan of government for the new state that included the establishment of religious freedom. Constituents should have been grateful for this act, but Madison failed to win election to the General Assembly he helped create because he declined to woo voters with whiskey for their votes. Think of him as the John McCain of his time.

Luckily that wasn't the end of Madison's political career. He was elected to the continental congress in 1779 at the ripe young age of 28. He was in fact the youngest man in Congress, but he also eventually became one of its most influential members. He was a leader among the group that favored a strong central government. He advocated among other things, the federal government's right to levy import duties. Even though at the time it wasn't a keenly popular view, he became an eloquent spokesman for the kind of strong central government that we have today. There again, we have something very fundamental to thank Mr. Madison for.

Madison favored a strong federal government even though it wasn't a popular view in his home state of Virginia. He also championed the rights of the individual and the separation of church and state, which were, to use a modern term, cutting edge at the time. Even though the Anglican Church in Virginia was powerful, Madison succeeded in defeating a proposal by none other than Patrick Henry that would have allowed the state to help bankroll the church. Madison went even further and teamed up with Jefferson to pass a bill in the state assembly that protected religious liberty. Madison was truly a man of the Enlightenment.

The bigger problem he faced as a man of public policy, though, was how to protect the fledgling national government. He believed that uniform rules should be established among the states to govern trade and commercial relations, and he felt that only a federal government could effectively enforce those rules. He thought that the Articles of Confederation, the legal framework under which the national government was operating at the time, should actually be amended to expand the power of Congress. Later, at the Constitutional Convention in 1787 he likewise proposed a government with strong, central authority, including a national judiciary and an elected national chief executive who had the ability to veto legislation. Sound familiar? He went further and favored a bicameral legislature. And he helped author the so-called Virginia plan, which would have created a system of representation that would have given the larger states influence in proportion to their size. This should sound familiar, too. Today it's the U.S. House of Representatives.

These are meritorious contributions to our culture and our government, no doubt. But now we get to Madison's most dynamic and incredible topical contribution. It's the issue that I still deal with on an almost daily basis in Washington. What is the relationship of government to the many, varied and often conflicting interests that make up a democratic society? Back in D.C. I write a lot about money in politics and about lobbying. Those issues are tainted these days, and maybe they should be. But in essence I am still sifting through the issues that make up Madisonian democracy.

Madison wanted to get the Constitution ratified along with Alexander Hamilton and John Jay, he wrote a series of articles that explained and defended that at-the-time-controversial document. The first of these articles, later known collectively as *The Federalist*, or the *Federalist Papers*, was published in October of 1787. Over ten months, 85 essays appeared in newspapers in New York and elsewhere over the signature "A Citizen of New York" and later "Publius." Madison is credited with authoring at least 26 and probably as many as 29 of these essays.

The most famous of these and the 10th essay. That is certainly the work of Madison. And in it he explains something that we still wrestle with: that political differences grow primarily out of the conflict of varying economic interests. That bears repeating: political differences grow primarily out of varying economic interests. This view made Madison a forerunner of the so-called economic interpretation school of history, which these days is dominant. And for good reason: it's true. Back then, Madison argued that friction among the states wasn't caused by differences in size but in the conflicts between slave and free states,

between plantation and merchant states, between debtor and creditor states. In other words, the conflicts were economic in origin. And he very reasonably argued that only a strong, vital Constitution could reduce those conflicts and prevent economic exploitation.

The world that Madison saw so clearly back in the 1780s is not different in concept than the world we face today. In politics, we are forever struggling with the questions: Why does Interest X beat out Faction Y? Is it because the Democrats are more powerful than the Republicans? Is it because Senate Chairman Z is weaker than Senate Chairman A? Or is it, more often than not, because Interest X or Faction Y are unequal in their impact on the nation's economy. And the one that wins is the one that gives the impression at least that it is the superior, ECONOMICALLY.

That's what Madison would say and I think, more often than not, he is completely right.

Indeed, this is a revelation that is important to our daily understanding the government. So often, as we watch television, which is where we get most of our political information today and we assume that winning and losing is mostly about personality. John McCain is a leader, we think, and therefore he's going to press reforms forward by the mere strength of his character. Or, in another case, it may look like Democrats, or the Republicans, have the upper hand on an issue because they have superior numbers in the House or the Senate. Most of all, we think that when those talking heads on Sunday political shows say something, the things that they say will actually happen. Why? Because they said so and, after all, they are the Leaders.

This is all wrong-headed and Madison knew it. More importantly, Madison was the first to explain why. It is wrong to think of Washington as a place that works from the top down. Rather it works from the bottom up. The great freedoms that Madison championed and, really, helped to put into effect-individual liberties, free speech, free press, freedom to practice religion-make individual citizens, hugely powerful in our country.

That's right, thanks to Madison, the citizens are the keys. Not the parties. Not the leaders. And the citizens are most often propelled in their views by economic self-interest. That insight is Madison's great gift to our understanding of ourselves today.

Think about the modern-day political parties, for example. Let's face it, when Ross Perot referred to the Democrats and Republicans as Tweedle Dum and Tweedle Dee four years ago, he wasn't far from wrong.

But that's true only on the top line issues-the matters of vast, popular concern about policies that touch the lives of every American. Congressional leaders and senior administration officials chat about those subjects endlessly. And their perspectives are often read, incorrectly I believe, as the View from the Top-the direction legislation inevitably will take.

To understand how Washington REALLY works, I think a sophisticated observer should take a different angle, the Madisonian angle: the View from the Bottom.

Washington isn't a place that operates from the top down like corporations for example. Instead, voters, or more precisely, large blocks of organized voters, dictate the broadest movements of legislation and regulation.

That isn't to say, naively, that the voters always decide. Nor am I trying to diminish the influence that a charismatic or visionary leader can have on certain topics and trends. Just look at what Madison himself, and the force of his brilliant arguments, were able to muster. What I am suggesting is that it's far more instructive to look at the factions that are constantly agitating for action than at the personal druthers of the politicians who hold so-called positions of power.

The groups that push the hardest and in the greatest numbers to solve what amounts to real problems usually end up being the forces that shape the policies that make their way into law. The rhetoric that pours out of the tube on Sunday morning is a consequence of these forces, not the other way around.

There aren't usually ad hoc interests. They've been around throughout our history and have long found a home in one party or the other. In response, the parties have developed positions almost identical to theirs. These, in effect, are the party bosses, the economic interests that Madison understood underlay our political system.

In the modern-day, Haley Barbour knew his business when he chaired the Republican National

Committee. He presided over the party apparatus in 1994 when the Republicans upended 40 years of control by the Democrats in the House of Representatives. But most of all, he nurtured the groups that bankrolled the party and provided its most loyal partisans. Madison would have been proud.

Haley Barbour also knew who his enemies were, in a similarly Madisonian fashion. When Barbour heard that the AFL-CIO would pull out all the stops to elect Democrats to the House of Representatives during the 1996 election, he called an emergency meeting of his high council, in a glass-lined conference room at the Republicans' Eisenhower Center on Capitol Hill. He spoke in grave tones to a dozen or so of his closest advisers. The meeting included representatives of Big Business and small business. Barbour told the group that he thought the labor federation would spend far more than the \$35 million it publicly proclaimed on behalf of Democrats—perhaps as much as \$200 million. The GOP would have to fight back with both money and volunteers. He then went around the table, asking each official, "What do you plan to do?"

They each knew they had to do SOMETHING. For they were the heart and soul of the GOP, the economic base, if you will of the party. Indeed, they were as much of the spine of the Republican Party as the AFL-CIO, along with the trial lawyers and others, were the backbone of the Democratic Party.

What these groups want, their parties work with all their might to get them. And when the party is threatened, these groups turn up the heat on the party's behalf. There's nothing subtle or secret about this quid-pro-quo. And there's also nothing new about it. Madison was the first.

Take the experience of 1996 as an example of how this works. The Democrats in Congress pressed hard to raise the minimum wage, just as organized labor wanted them to. And as if according to Hoyle, Republicans blocked the move on behalf of their business backers.

Through all the posturing and pandering, each party accused the other of being a tool of the special interests. They both were right: And, it was Madison who both made it possible for this to happen through his advocacy of individual liberties, and also explained why it happened—his economic determinism.

These days, when we hear about the power of moneyed interests, they shouldn't be viewed narrowly as rich people or as solicitors who beg rich people to contribute to political causes. Moneyed interests are larger, strategic interests that can be counted on to raise and spend oodles of money on all manner of political enterprises. And more often than not, those enterprises take on a very pointed and easily predictable partisan cast. These kinds of interests are either Democratic or Republican. Rarely both.

In politically correct circles, we are supposed to be afraid of the impact of these interests in Democracy. But that's incorrect. As Madison pointed out, the conflict of these interests are the very basis and reason for having Democracy, not the other way around. If he were here today, Mr. Madison might tell us, "Fear not. It's just the way things work."

Madison went on to accomplish many great, concrete things. He sponsored the Bill of Rights as a member of the House of Representatives. He was secretary of state under President Thomas Jefferson when the United States made the Louisiana Purchase from France. But I argue today that the more lasting legacy of this great man was his contribution to our intellectual history. He gave us freedom and explained to us how best to understand it, and thus, how to use it for our common good.

Thank you, President Madison. And thank all of you for listening this morning.

*presented by Jeffrey J. Birnbaum*

*Sources:*

*The Federalist Papers*

*Encarta (World's CD Encyclopedia)*

*Encyclopedia Britannica*