

James Madison and the Role of the Architect

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James Madison is called the father of the United States Constitution. It is also appropriate to call him the architect of the Constitution. He was the chief architect in the effort that defined the architecture of the Federal government of the United States: the roles and responsibilities of its branches, the relationships between them, and the principles and mechanisms guiding their implementation, operation and evolution.

The constitution, in just a few pages, defined a stable and flexible system. It has lasted over 200 years and been the model for numerous other constitutions, and it has been changed 27 times.

Madison was guided by a set of values expressed in the preamble to the Constitution:

“We the people of the United States, in order to form a more perfect union, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, ...”

These values were not new, but his vision to realize them was new. From his thorough study of governmental forms throughout history, Madison saw clearly that a governmental structure that would resist the tendencies toward tyranny demanded a structure and mechanisms to keep power distributed. Tyranny was the likely result of unchecked, concentrated power. To define a governmental structure that supported the values expressed in the preamble, and particularly to ensure against tyranny, he articulated two central principles, the separation of powers, and checks and balances. Distribute power, and keep it distributed.

Separation of powers led to the creation of distinct governmental branches with specific responsibilities assigned to them alone. Checks and balances led to the creation of interaction mechanisms to keep power from becoming concentrated in any of the separate branches. The president can veto legislation. The legislature must advise and consent to certain presidential appointments. The courts can declare legislation unconstitutional.

Success depended on much more than understanding governmental structure. Madison needed to change minds. The architect leads from an overall vision. Madison had such a vision entering the Constitutional Convention in 1786, already articulated in the Virginia Plan, which formed the basis of the Convention’s deliberations.

On the value of liberty they all agreed. But Madison's plan to achieve it was radical, replacing the weak confederation of independent states with a strong union led by a powerful national government with powers to tax, raise an army, and veto acts of states. His challenge was to associate a shared set of values with a specific proposal for a national government that embodied them, and to do that strongly and vividly enough to overcome deep resistance. The separation of powers was not popular among the American states after the revolution. Legislatures in most states had all the power, leading to abuses of power similar to Colonial rule under the British. Additionally the states were generally not supportive of a strong central government. Madison was moving people from a state-centric to nation-centric view. In the larger and more complex union of states, liberty needed to be designed in at the national level, and this required the states to become less independent, more interdependent.

Approval at the Constitutional Convention was just the beginning. The constitution still needed to be ratified by the states. Working with John Jay and Alexander Hamilton, Madison wrote the Federalist Papers, 85 arguments in favor of the Constitution, published individually in newspapers over the next three years. Anti-Federalists mounted a strong campaign against ratification, and the Bill of Rights was added in response to some of their concerns. Finally only Rhode Island held out, and ratified only when the other twelve states threatened a trade war.

Madison had established and shared a clear vision. He understood the problems of governmental structure, and he took responsibility for the problem from vision through implementation. He provided strong motivation and rationale for the approach he proposed, and he argued persuasively, persistently and passionately until the constitution was fully ratified. His work has survived and guided a nation for two centuries, virtually unchanged.

References

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