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REINVENTION OF VICE PRESIDENCY

An Analysis of the News

New York, NY—In selecting the eventual Vice President to be sworn in on January 20, 2009, McCain and Obama are using both a method and set of considerations completely foreign to Madison and what the Constitution originally specified in 1787. Although some may argue that this merely reflects another instance of people ignoring it, the fact that such differences exist actually illustrates the document's inherent flexibility to survive—and flourish—over time.

Historical Perspective

From the *Daily Notes* that he wrote during the 1787 Constitutional Convention, it is clear Madison had a firm grasp on what the Vice Presidency was to be when the Federal government was established.

As a member of not only the Convention's Third Committee of Eleven but also its final Committee of Style and Arrangement, Madison was instrumental in deciding just what the Constitution ultimately said about the matter: whichever candidate placed second in the Electoral College's Presidential balloting became the Vice President.

James Madison and the Constitution

Nowhere was there an indication that the Vice President was to shadow the President or otherwise concern himself with preparing for the eventuality of a sudden move to the executive role of President. Clearly, moreover, age was not perceived as a negative. In fact, the Vice President was considered rather expendable as Madison's Presidency illustrates when—unlike any other—both of his running mates—Clinton and Gerry—died in office and were never replaced.

Though many commentators today insist that it would be appalling and a complete travesty of Democracy if someone became President without receiving the requisite Popular vote, from its beginning the Constitution never required such a necessity but rather assigned the selection of the President to the Electoral College whose delegates were (and are still) chosen by each State in a variety of ways. In fact, Burr, although never receiving any Popular vote for President, almost became President in 1800 merely because he had run on Jefferson's

political "ticket" that the Constitution at first never contemplated. *1967: America's 3rd Revolution?*

Failure to provide for the development and impact of political parties was a flaw in the original Constitution of 1787, which led to the events surrounding the Presidential election of 1800 that has become known as the "Revolution of 1800."

Although Jefferson won an enormous 22.8% popular vote victory margin, if it were not for the personal intervention of Hamilton—and some would say sacrifice since it led to his death by dueling—Democratic-Republicans and Federalists reached an impossible deadlock with the 1800 election that almost ended in the wrong person on a "ticket"—Burr—being elected President by the losing Federalists' residual control of Congress.

Utilizing its inherent flexibility, legislators subsequently passed the Constitution's 12th Amendment requiring Electoral delegates to specify their Presidential and VP choices. By 1808, the 12th was re-inventing the Vice Presidency as it was no longer for the also ran that might keep one's most influential opposition close but powerless. Rather, conceding the new reality of political parties, a VP would be part of a ticket and stand as a candidate chosen to attract votes. This role for the VP remained until 1967 when the 25th Amendment responded to a new role requiring a method and considerations more focused on competence and compatibility.



VP George Clinton

Selected for his appeal to New England Democratic-Republicans as NY's Governor, when Clinton (1739-1812) died in office, no procedure required him to be replaced as Madison's Vice President.



VP Elbridge Gerry

Selected for his appeal to New England Democratic-Republicans as MA's Governor, many expected Gerry (1744-1814) and Madison to die in office when they successfully ran together in 1812...but only Gerry died and the VP slot remained vacant.

LEGISLATIVE UPDATE

Washington, D.C.—Key legislation involving the legacy of James Madison remains pending before the 2nd Session of the 110th Congress as legislators depart for their traditional summer recess—their "Summer district work period." As the opening salvo in the forthcoming bi-centennial salute to the Madison Presidency of 1809-1817, HR 3640 was introduced to construct a national monument for the key founder of the Nation.

Take Action
Write to Congress

...HR 3640 NOW PENDING BEFORE 110th CONGRESS

Led by the enthusiastic co-sponsorship of **Representative Brian Baird (D, WA-3)** and **Representative Baron Hill (D, IN-9th)**, the legislative process that seeks adoption of HR 3640 and the creation of a James Madison Memorial Commission remains in committee referral before the House Natural Resources and its Subcommittee on National Parks, Forests, and Public Lands.

*How to Email a **Take Action** request to your Legislator*

To alert your Washington, D.C. representatives of your interest in action on HR3640 visit our website—

<http://www.rallycongress.com/americansformadison>

—designed exclusively to transmit emails to Washington, D.C. legislators regarding HR 3640.

MADISON EXPERTS TO CONVERGE FOR

AFM's 1st Public Bi-Centennial Event

New York, NY—With legendary U.S. historians and AFM Advisory Board Members **Joseph J. Ellis** and **Sean Wilentz** scheduled to join AFM Founder **Hadley Nagel** and NYHS CEO **Louise Mirrer** on the podium, plans continue to expand for **Americans for Madison's** first public Bi-Centennial event in celebration of the 1809-1817 Madison Presidency on Thursday, October 2nd at the **New York Historical Society**.

The event will begin at 6 P.M. and include a lively discussion of Madison and his Presidency. Afterwards, an open question and answer session will be followed by the historians autographing their books.

Book tv
C-SPAN2

AFM's October 2nd event at the New York Historical Society—featuring Joe Ellis and Sean Wilentz discussing Madison—is expected to be rebroadcast on C-SPAN 2 to a global audience.

Montpelier's Tops Constitution Day Plans

Editor's Note: Since Congress has mandated that Federally funded educational institutions must provide Constitution training on this day, Public awareness of Madison's role in the founding of the Nation has grown exponentially. Here are some highlights already planned for this year's Constitution Day on September 17, 2008:

Orange, VA—At Montpelier the Chief Justice of the United States John G. Roberts, Jr. will headline the special invited guests—including AFM Founder **Hadley Nagel**—who will be in attendance as a ribbon is cut and the doors swing open on the reconstructed Great House at 11 a.m. In addition to military pageantry—supplied by the U.S. Army Old Guard Fife and Drum Corps—2,500 local school children will form a Living Flag. Jim Lehrer of PBS and WETA will provide broadcast commentary.

Princeton, NJ—The James Madison Program at Princeton is co-sponsoring a 4:30 p.m. lecture on campus by Barbara Oberg.

Washington, D.C.—The Cato Institute is sponsoring an all-day symposium featuring various Constitutional lawyers and professors.

CHENEY ENDS HER ANNUAL MADISON BOOK AWARD

Follow-up on the News

Washington, D.C.—Lynne Cheney, who in 2003 founded and funded the annual Madison Book Award, has announced that this year's is the last. In presenting to James Cross Giblin this year's prize for ***The Many Rides of Paul Revere***—published by Scholastic Press—she also indicated that since it was the final year, a Lifetime Achievement Award was being presented to the award's most prolific recipient—Albert Marrin—whose most recent book features T.Roosevelt.

