

# Introduction

## The Title Controversy and the Early Presidency

In the early spring of 1789, newly elected senators and representatives of the First Federal Congress arrived in New York City, committed to the implementation of the stronger federal government mandated by the Constitution. Within weeks, Congress became embroiled in a dispute over how to address the president—the Senate majority favored a lofty title, while the House stood unanimously and adamantly opposed to anything more than the simple and unadorned “President.” Suggestions for a title ranged from “President” to “His Majesty the President” to various forms of the frequently used “Highness,” including the Senate-endorsed “His Highness the President of the United States of America, and Protector of their Liberties.” Congress, the press, and individuals throughout the country debated more than thirty titles, most with royal overtones. In a world full of monarchs and with the United States struggling for respect on the global stage, the eventual resolution in favor of the modest “President of the United States,” without an exalted prefatory appellation, remained far from certain.

Since the Constitution does not specify an executive title, the debate over whether or not to give the president a regal title represents an early consideration of constitutional intent, just as it also comprises the “first dispute between the Senate and the House.”<sup>1</sup> The beginning of the constitutional era is so rich with the coming of parties and other meaty political

history that some historians have dismissed the controversy as a distraction. They have implied that the “hassle” of the title debate occupied precious time that should have been spent on more-pressing concerns, such as establishing revenues, organizing the government, or considering amendments to the Constitution.<sup>2</sup>

The fight over titles was hardly frivolous. The controversy explored an important constitutional question: How much like a monarch should the head of a republic resemble, particularly in the United States, whose revolution aimed at weakening the executive? America’s renunciation of monarchical government found one of its main expressions in the weak executives outlined in the revolutionary constitutions of the union and the states, executives whose power often was limited to executing the will of the legislature. Yet, six years after the Treaty of Paris ending the Revolutionary War, the new government featured a singular central executive for whom some in Congress contemplated grand titles. Just what kind of a president did the people and the country want and need? And, how did the question of a presidential title relate to the widespread use of titles in America?

When Vice President John Adams and others broached the question about titling the president, they instigated a conflict that marked a moment of revolutionary affirmation for the young nation and its Constitution. The presidential title controversy became the catalyst for a broadly based articulation of the fundamental nature of the country’s new representative democracy when Congress and a majority of the public rejected regal titles, monarchical trappings, and the form of society and governance they symbolized. With its outcome, the people of the early Republic accepted the presidency on the republican terms of a simple title and set the stage for America’s new breed of national executive, one who found no contradiction between democracy and strength.

Although George Washington stood as the electors’ unanimous choice as first president and enjoyed extraordinary public support, the untried presidency aroused dissent and apprehension. The Constitution outlined a chief executive elected for a four-year term, but delineated no term limit. Consequently, the office alarmed many critics of the proposed government because of its resemblance to monarchy. The substantial though vaguely defined powers of the president led to conflicting interpretations of dangerous strength or disastrous weakness.<sup>3</sup> On the one hand, Americans were apprehensive of the real possibility of “the President’s maturing into an uncontrollable and absolute monarch,” as Yale president Ezra Stiles worried.<sup>4</sup> On the other hand, James Wilson, the leading author of the Constitution’s outline

of the presidency and a champion of the office during ratification debates at the Pennsylvania Convention, confirmed that numerous Antifederalists opposed ratification partly because they dreaded corruption of the president by foreign monarchs or, closer to home, aristocratic cabals of Senate elites: “The Objection against the powers of the President is not that they are too many or too great . . . [but that] they are too trifling that the President is no more than the tool of the Senate.”<sup>5</sup>

The American people feared both monarchy and the political corruption that can accompany it. The conflict over a presidential title arose when these two fears aligned against each other in convoluted ways: foes of a regal title distrusted a strong, monarchical federal executive, while proponents worried about a weak and easily intimidated one that nonetheless had the sway of a monarch. Alarmed that a president would prove corruptible and a puppet of state elites or world leaders, John Adams and Senator Richard Henry Lee of Virginia advocated for a lofty title to boost executive authority. Even though a strong president also could prove unscrupulous and corrupt, they viewed all-powerful Senate dominance over an anemic national leader as the greater and more present danger. The other side of the controversy dreaded a despotic, all-powerful president. Abhorrence of monarchical rule and the resultant loss of representative governance fed a fierce resistance to an exalted honorific by Senator William Maclay of Pennsylvania and Representative James Madison of Virginia, as well as the rest of the House.<sup>6</sup>

The motives of John Adams, especially, have long been misunderstood, and Adams interpreters often used his role in the title controversy as a proxy for one perceived character flaw or another—from an “instinct for unpopularity” to the pursuit of civic virtue and control of “his own unruly passions” to “sheer lunacy.”<sup>7</sup> Others tried to exonerate his position in favor of a grand executive title by pointing to his years as an ambassador in the courts of Europe, which convinced him of the necessity of “titles and dignities, futile as they may be.”<sup>8</sup> Still others deflected attention from Adams to Washington: the baseless “rumor had it that the General himself was of a like mind on the matter,” or the groundless speculation that Richard Henry Lee, whose motives in support of Adams also have been unclear, introduced the subject of an executive title “probably at the behest of Washington.”<sup>9</sup> These approaches tended to depoliticize an issue with obvious political dimensions, ignored cultural currents such as monarchism, federalism, and the Republic’s emerging constitutional order, and confined the controversy to too few voices.

More to the point, Adams evinced an almost overwhelming concern over the balance of power between the federal executive and legislative

branches, especially a Senate comprised of powerful elites with state-oriented agendas and believed only some form of “Highness” or “Majesty” would assure the presidency of the strength it would need. James Hutson astutely identified Adams’s fundamental concern during the title controversy as “the relative power of the state and national governments, the state governments being, in his opinion so strong that the United States was really no more than a ‘Composition of thirteen Omnipotences against one Omnipotence.’” Adams “found the main danger to liberty in the upper classes and meant to employ titles not in behalf of a conservative aristocracy, but against it.” This understanding recognizes his motive as more than a character flaw, a preoccupation with virtue or protocol, or a misguided love of monarchy. Adams’s apprehensions and those of Richard Henry Lee echoed unresolved questions regarding the presidency raised by Antifederalists during ratification. Their unease about a government of the powerful few and overriding fear of the corrupt dominance of Senate elites over a weak federal executive formed the crux of the push for a strong presidential title.<sup>10</sup>

The title dispute made palpable the apprehension that most Americans had of the new presidency. Each side of the controversy sought to protect the presidency from its own worst nightmare regarding the office. Arguments advanced by both sides of the title debate carried an echo of the conspiracy-laden discourse among revolutionary leaders that Bernard Bailyn identified. Trepidations over elite cabals and power-hungry leaders within the federal government became recurrent themes, but care and protectiveness often underlaid the suspicions. During the title controversy, these fears morphed into a vigilant concern throughout American society about how to craft an acceptable and successful president for the young Republic.<sup>11</sup>

The transcendent celebrity of Washington, America’s first president, complicated questions surrounding the new Constitution’s executive and represented both a blessing and a curse for the presidency. His rise to revolutionary glory, as Paul Longmore chronicled, culminated in songs, praise, and fervent cries of “God save great Washington.” With Washington’s resignation as commander in chief of the Continental army at the end of the war and his retirement to the mansion and farms of Mount Vernon, his sterling reputation and undeniable virtue became assured. By far the most famous and trusted American political personality of the time (perhaps, of any time), he commanded respect for the young nation and provided legitimacy to its republican experiment. Americans accepted and esteemed Washington and lauded his immortal fame. He journeyed from Virginia to New York City for his inauguration to crescendos of honors, enthusiasm, and celebrations not unlike the royal processions of English monarchs. As

nearly everyone sang his praises, the tendency toward extravagant sentiment created comparisons that were counterrevolutionary for republican society—to biblical fathers, to gods of old, and even to Jesus Christ.<sup>12</sup>

Although the gratitude and acclaim of the American people bespoke their trust in Washington, his near deification within the popular culture allowed a conceptual collision of monarchical and popular sovereignties at the advent of the presidency. Within the theoretical ideal of popular sovereignty envisioned in the Constitution, as characterized by Edmund Morgan, the people have two “bodies” of sovereignty: they are both the rulers and the ruled, the governors and the governed, since they first elect their representatives and then are governed by them. Conversely, the era’s European monarchy rested sovereignty in the single “body” of a monarch who ruled by divine right. Even in England, where Ernst Kantorowicz traced the legal evolution of the “two bodies” of a king’s sovereignty (an immortal and divine body conjoined with a mortal body subject to human frailty and laws), the sacred “body” of sovereignty continued to distinguish a monarch.<sup>13</sup>

The closer Washington came to God, then, the more the reverence he engendered tainted the secular presidency with the hint of divine right monarchy’s theological absolutism. The “two bodies” of popular sovereignty attached to Washington, just as they attached to all voting Americans. However, Washington’s popularity and godlike status within the popular culture gave him, and *only* him, the potential for a third “body”—the sovereign body of the divine right king. This possible third body of Washington confounded perceptions of the presidency and haunted America’s hard-earned popular sovereignty with the sacred justification and absolutism of monarchy.

In another postrevolutionary contradiction, honorifics remained entrenched in American society and government, where state governors and the president of the Confederation Congress held the title of “Excellency.” A local political storm during the federal elections in Boston signaled the upcoming friction over titling the new president. The fracas revolved around whether newly elected federal House member Fisher Ames, who had not held a state office higher than representative, merited the distinction of “Honourable.” When the *Massachusetts Centinel* titled Ames as “Honourable” in early 1789, it precipitated an immediate outcry against such liberties since only state senators, not representatives, warranted that distinction. The *Boston Gazette* scrupulously sought to “render ‘Honour to whom Honour is due’” and refused to acknowledge the “Hon. Mr. Ames.”<sup>14</sup> For the zealous guards of state prerogatives, the use of “Honourable” for a member of the newly formed federal House denoted the first step toward elevated federal status. The question of state versus federal dominion over the

honorific engulfed the Boston papers during the next month. Although the clamor died down, the *Centinel* continued using it for federal representatives and audaciously began titling senators as “Most Honourable,” while state-oriented critics of the usages seethed.<sup>15</sup>

Already regularly entitled “Excellency” and “General,” Washington as president invited the question of whether to address him on a par with or above governors. As the Ames ruckus illustrated, elite authority in the early Republic remained but provisionally earned and was constantly contested. Early America boasted a vibrant and dynamic society suffused with the sometime contrary traditions of monarchy, republicanism, democracy, and liberalism. In the postwar period, social rank reflected broadening egalitarian conditions, but rather than titles vanishing, more everyday Americans began using them. This cultural fluidity added tension to relationships and contributed to the widespread sense of uncertainty toward the presidency.<sup>16</sup>

The presidential title controversy formally began in Congress on April 23, 1789, with Senator Richard Henry Lee’s motion for a titles committee. The question of an executive title occupied the Senate and House in acrimonious deliberations for the next three weeks. Washington’s inauguration on April 30 and the pressure that both houses of Congress felt to pen replies to his inaugural address fueled the title dispute: the House elected to proceed quickly with a simple salutation in its reply, while the Senate vacillated as it contemplated salutations that reflected a grand office. On May 14, the Senate agreed to the address of “President of the United States,” capitulating to the precedent of an unadorned greeting set by the House and to the House’s stated wish for no title other than the designation of the “office expressed in the Constitution.”<sup>17</sup>

Because most of the legislative wrangling occurred behind the closed doors of the Senate and congressional committees and, additionally, because of slow mail delivery and limited newspaper coverage, news of the title debate spread over a prolonged period of time. As the public learned of and commented on the issue, the dynamic of the controversy as a political event and defining cultural moment stretched far beyond those three weeks of legislative discord. Although the dispute began in Congress, it spilled over to newspapers, public houses, personal letters, and even an unpublished play. The profusion of voices and perspectives illustrated that just about everyone had an opinion about titles and what they meant for the country.

The title controversy thus had two phases—a legislative phase and a public phase—and both burned bright with the fire of strongly held convictions.

Intense, insular, and less than a month long, the legislative phase occurred largely within the confines of Congress. The expansive and compelling public phase unfolded throughout the country over a longer period, as the people and the press examined questions of national character, federalism, and executive leadership and power. Throughout both phases questions about titles and authority in society, the relative strength and possible corruptibility of the president, and the respect due Washington (and its corollary, what would Washington do?) resonated as recurring themes. Congressional documents, letters, and public opinion from both phases of the controversy reflect not only the beliefs of founding leaders but also the evolving social and political thought on constitutional governance and the future of the country within the popular culture.

Most of what is known about the dispute in the Senate comes from the detailed diary of Senator William Maclay of Pennsylvania. His chronicle of the debates during the legislative phase of the controversy has proven accurate, although it quite naturally reflects his staunchly antagonistic view of pretentious titles. The "Senate Legislative Journal," kept by Samuel Otis, secretary of the Senate, recorded committee reports, resolutions, and cursory information on Senate deliberations. However, neither of these sources was available to the public in April and May 1789. Maclay's diary was a private document that his heirs shared with a few people after his death in 1804, but it remained unpublished until the late nineteenth century. As for Otis's record, assistants transcribed his rough notes of Senate proceedings into a smooth version of the journal, which then went to the printer. The time lag was significant; in the fall of 1789, after the end of the first session, newspapers finally began publishing the Senate Journal's proceedings from the previous spring.<sup>18</sup>

Debates in the House greatly enhance our understanding of the legislative phase of the controversy, as does a wealth of personal correspondence. Many senators and representatives (as well as John Adams and others) discussed titles in letters during both the legislative and public phases, but the delay in postal delivery meant that some of the early recipients received their mail as the legislature reached closure on the issue in mid-May 1789.<sup>19</sup> A few newspaper editors provided regular accounts of the open House debates from their seats in the chamber. On May 11, the topic of titles exploded on the House floor, for the gallery's edification and entertainment. Even then, only one newspaper, the *Gazette of the United States*, carried a detailed report. On May 14, the day after the *Gazette* release and three days after the eruption on the House floor, the Senate bowed to the wishes of the House and the legislative battle ended.<sup>20</sup>

Some public opinion about titles appeared in newspapers and letters during the three weeks of the legislative phase, but the volume rose sharply as news of the dispute and its legislative resolution spread. Commentary during the public phase of the title controversy proceeded at a fierce pace throughout the summer of 1789 and continued less frequently but with a simmering ferocity during the next couple of years. John Fenno of New York's *Gazette of the United States* and Benjamin Russell of Boston's *Massachusetts Centinel* (for whom Fenno had once worked), both ardent Federalists during ratification, printed the bulk of the arguments favoring a strongly titled central executive. Editors and papers with Antifederalist histories, such as revolutionary activist Benjamin Edes's *Boston Gazette*, poured forth a deluge of articles in opposition to the very idea. Two other papers in Boston, the *Herald of Freedom* (published by Loring Andrews and Edmund Freeman) and the *Independent Chronicle* (published by Thomas Adams and John Nourse), leaned decidedly against regal titles. These three papers often presented a united front against Russell's vociferous promotion of high-toned honorifics in the *Massachusetts Centinel*. Eleazer Oswald's *Independent Gazetteer* in Philadelphia provided another indignant voice against lofty titles. Other newspapers throughout the country printed and reprinted articles on both sides of the debate.<sup>21</sup>

One of the striking aspects of the uproar over an executive title is that it did not separate opponents strictly by the Federalist and Antifederalist positions taken during ratification. In 1789, postratification partisan lines had yet to be drawn. Different perspectives on the relative weakness or strength of the presidency, rather than earlier positions for or against the Constitution, determined the sides of the title debate. Many of those who had been either Federalists or Antifederalists during ratification stood allied against a grand presidential title and the monarchism it represented, while other ratification-era Federalists and at least one Antifederalist, Richard Henry Lee, advocated an elevated honorific as a benign way to secure strong presidential authority capable of withstanding corrupt influences. All viewed themselves as resolute republicans.

The passionate response to the consideration of executive titles guaranteed equally heated judgments of those most closely associated with the dispute. John Adams, who advocated "Highness" or "Majesty" to bolster presidential power, strained long-standing friendships, undermined his political influence, and sustained long-term damage to his reputation. During the controversy, Adams suffered the derisive "His Rotundity," a title probably known then only among legislators and their confidants. (It became permanently attached to the historical Adams a century later, after the pub-



lication of Maclay's contemporaneous diary.) During the course of the controversy, Adams became infamous as "the Dangerous Vice," a widely known and damaging sobriquet that he never forgot. The Senate's advocacy of a regal title fed accusations that it tended toward a monarchical institution. Although the public often applauded the House's opposition stance, all federal legislators came under heightened scrutiny, censured as elites with aristocratic pretensions.

Washington, in collaboration with Madison both on his inaugural address and on the House reply to the address, played a little-noted and underappreciated role behind the scenes in the title dispute and helped spur its republican outcome. As Stuart Leibiger illustrated, Representative James Madison of Virginia served as the president's closest collaborator during his first year in office and often functioned as Washington's public voice. The record of the debates reinforces Leibiger's point: Madison argued against a grand presidential title on the House floor and alluded to Washington's opposition to an exalted appellation. Counter to claims from dubious sources from the mid-nineteenth and early twentieth centuries, Washington never favored a grand presidential title (such as "High Mightiness," which sometimes is suggested even today) and actively argued against one. He predicted the public outcry against monarchical affectations and wanted to avoid agitating his increasingly populist countrymen and women.<sup>22</sup>

The public viewed Washington's example as the ideal of republican executive leadership. The general populace and most legislators retained an unshakable conviction that he wholly opposed regal titles and other affronts to republican governance. Washington remained removed from the legislative and public debates, although he occupied everyone's mind since any presidential title would apply to him. The public's high regard for Washington deflected the negative perceptions that adhered to others during the title dispute and ensured his reputation for restraint and disinterested honor that invited public trust. As a result, Washington buffered the presidency from attack as a monarchical institution that was dangerous to the people's liberty.

Because no thorough analysis of both phases of the fight over a presidential title exists, its interpretation by historians often says as much about the perspective of the interpreter as it does about the dispute. Stanley Elkins and Eric McKittrick touched on the confusion that this situation has produced. Although they acknowledged the prominence and "peculiar place" that the controversy occupied in the early days of Congress, they wondered at its significance: "The proportion which the episode properly ought to have . . .

remains something of a question.” Yet, the debates and emotions raised during the title controversy indicate that the new presidency had forced the people of the early Republic to find an acceptable balance between elite power and the people’s sovereignty. The heated scrutiny given to the choice of an executive title represented a vital and expansive exploration of American executive leadership.<sup>23</sup>

In the years preceding the Constitution and its plan for a singular executive, the Continental Congress had functioned with no national executive and the Confederation Congress had one of no substantive power. The Continental Congress essentially undertook the “executive and administrative responsibilities that had been exercised by or under the aegis of the king’s authority,” while the states retained Parliament’s powers of taxation, trade, and internal governance. The burdens of both executive and administrative responsibilities proved so onerous that Congress created executive departments in 1781, an action that resulted in an unforeseen yet inevitable loss of executive will as the departments took over the heavy lifting of “finance, foreign affairs, war, and marine matters.” Without the authority to tax or regulate trade, powers that were still held by the states under the Articles of Confederation, Congress floundered and became less effective during the Confederation years. The approach outlined in the Constitution, with stronger and largely separate legislative and executive branches, eventually became the lesser of two evils, preferred over the morass that the combined duties in one body had become.<sup>24</sup>

Of the massive scholarship on the early presidency, perhaps the most cogent observation on the state of executive authority in the period came from Ralph Ketcham: “When Washington took his oath of office in April 1789, then, far from everything being settled, virtually nothing was.”<sup>25</sup> During the period from 1776 to 1789, America purposefully did not have an energetic executive. The Constitution’s terse outline of the presidency represented the extent of the Philadelphia Convention delegates’ ability to compromise about the controversial office. The ill-defined federal executive bequeathed by the framers in Philadelphia threatened, depending on one’s political perspective, to bring a host of despotic monarchical ills (so recently cast out of the states) to the new nation or to make the United States vulnerable to aristocratic intrigue at home and disrespect within the international realm of nations.

Ketcham emphasized that this “unsettledness” in the new nation placed on its first presidents a burden to define executive leadership. For Ketcham, the philosophies these men held regarding executive authority influenced their leadership styles more than their political outlook did.<sup>26</sup> For other

scholars, the relationship among presidents, politics, party, and a president's ability to influence the country's political culture remains paramount. As Marc Landy and Sidney Milkis have argued: "The great presidents were great because they not only brought about change but also left a legacy—principles, institutional arrangements, and policies that defined an era."<sup>27</sup>

Whether the emphasis is on the philosophical or political, conclusions about the American presidency often come down to the same bottom line: it is an office of immense potential executive power and authority, and some presidents did a better job than others interpreting the Constitution's vision. Neither conception can be ignored—both deeply held principles and political acumen are essential for a truly great president, one who has "the capacity to serve as the very embodiment of great political principles, combined with a genuine reluctance to exploit the self-serving opportunities that capacity provides." The Constitution's vision of American executive authority involves, at heart, "the mutual interdependence of the leader and led." This ideal of democratic leadership recognizes the inherent relationship between the president and the people. It also makes manifest the president's unique role as both leader and led within Morgan's "two bodies" construct of popular sovereignty, since the president is both executive leader of the country and an individual who is governed by the Constitution like everyone else.<sup>28</sup>

The title controversy demonstrated how the mutual interdependence of the president and the people played out in the unsettled world of the young nation. In 1789, much of America recognized the need for presidential authority and energetic leadership despite the ever-present alarm over the potentially abusive power or weak corruptibility of the office. Although his celebrity and demeanor encouraged an elite court-like atmosphere wherever he went, Washington counteracted these tendencies with his opposition to a regal title. He brought to his leadership both a widely admired perspective of republican forbearance and a willingness to take cues from the people. By mirroring the views of the majority of his countrymen and women in the title dispute, Washington encouraged public acceptance of the presidency, which added political legitimacy to the office.

The consideration of titles for the federal executive resides at an early moment in the reciprocal evolution of the American presidency, democratic leadership, and popular sovereignty. In much the same way that government in the nineteenth century expanded and often worked best when it remained "inconspicuous" or "out of sight," as Brian Balogh terms it, the presidency's executive authority gained strength and public acceptance by avoiding the monarchical stigma of an exalted title. Balogh points out that

although the “United States did indeed govern differently than its industrialized counterparts, it did not govern *less*. Americans did, however, govern *less visibly*.”<sup>29</sup> The earliest days of the Constitutional era imagined a similar course for the emerging nation’s executive. The republican resolution of the title controversy established an approach to leadership and authority that fledged the presidency’s power by not flaunting it.

How the country titled the president reflected the “values and beliefs of ordinary citizens,” as well as the recognition by social and political elites of the irony that authority rested with acquiescence to egalitarian principles. This account of the presidential title controversy highlights the dispute’s role in public acceptance of the presidency and its effect on an emerging understanding of executive leadership in America. It examines the intersection of constitutionalism with the influences of both elite and popular cultures and assigns the title controversy its rightful place within discussions of the consolidation and expansion of executive authority in the early Republic.<sup>30</sup>

The rousing fight over an executive title and presidential authority occurred in a vigorous and increasingly inclusive postrevolutionary political America. The constitutional ratification process and the first presidential election brought a range of Americans into the political debates of the era. The public phase of the debate, especially, illustrates that federal leaders faced the scrutiny of an unusually alert, informed, and influential populace. Complex expectations and convictions drove competing viewpoints on executive authority and spoke to the growing and evolving public engagement with elite legislative politics.<sup>31</sup>

The title debate animated and shaped the new nation’s broadening political community. So much more than an obsession with etiquette, the question of titling the president challenged Americans to find an acceptable balance between power and the people’s sovereignty while assuring the country’s place in the Atlantic world. The controversy’s outcome favoring the modest address of “President” constituted an indispensable reckoning that affirmed the republican character of the fledgling president and federal government, even as the conflict formed the leading edge in increasingly partisan struggles over executive power. As such, the dispute is as relevant today as it was in 1789.