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THE INNER AUDIENCE

Fisher Ames and the Politics of Speech and Print

A Thesis

Presented to

The Faculty of the Department of History

The College of William and Mary in Virginia

In Partial Fulfillment

Of the Requirements for the Degree of

Master of Arts

.....

by

Nathaniel Clayton Green

2006

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APPROVAL SHEET

This thesis is submitted in partial fulfillment of the requirements for the degree of

Master of Arts

Nathaniel Clayton Green

Approved by the Committee, May, 2006

Christopher Grasso, Chair

Paul Mapp

Ronald Schechter

DEDICATION

This thesis is dedicated to the memory of my grandmother, Evelyn Green, who did not live to see its completion, and to my parents, whose unyielding faith in my dreams has made its completion possible.

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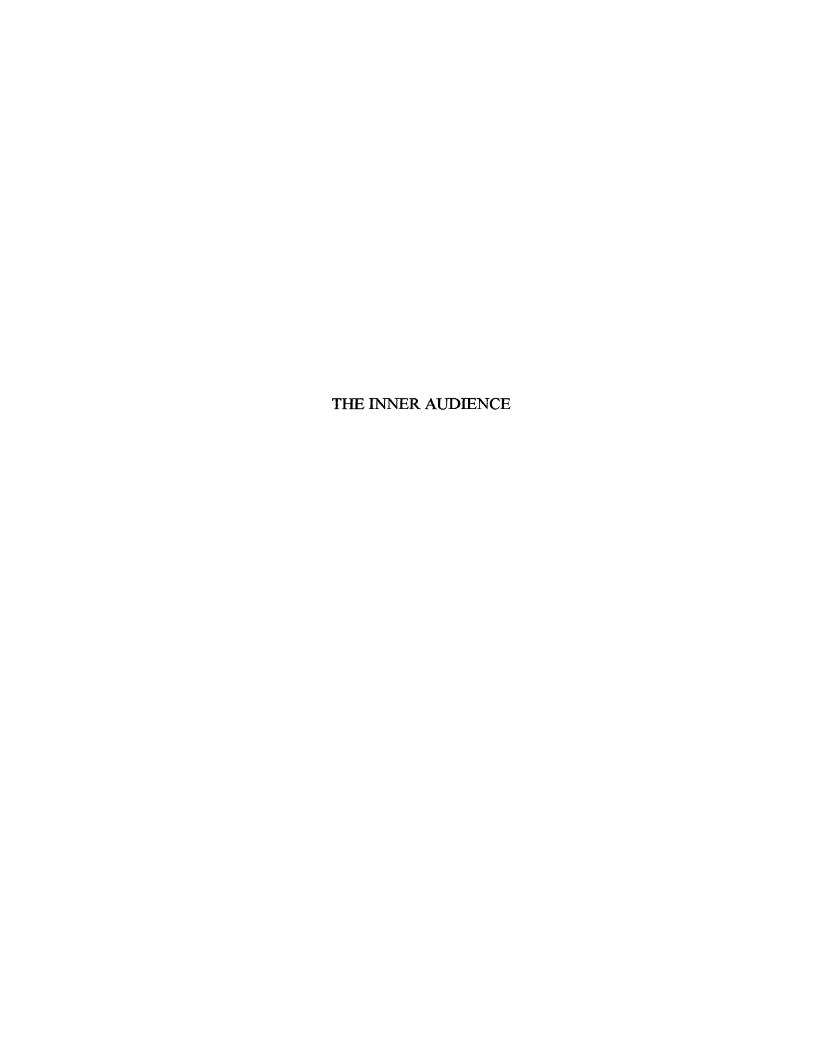
In Iowa, many friends and family members patiently listened as I prattled on about Fisher Ames and political culture during phone conversations, holiday gettogethers, and other occasions. David Craft, baseball junkie and literary kindred spirit, and his wife Karen, have inspired and encouraged me more than words can say. Kathryn Garmoe, Matt Musgrave, Tiffany Oppelt, Josh and Kayla Wiegand, and Jon and Abby Torrey were my closest friends in college, and their frequent calls to Williamsburg helped ease the soul of a homesick Iowa kid living so far away from home. A special thanks must be extended to my cousin, Lee Casebolt, and his wife Jen, for graciously allowing me to stay with them in their Coralville apartment during research trips to Iowa City, turning an hour and a half trip from my home in Fort Madison into a leisurely ten minute drive to the University of Iowa library.

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ABSTRACT

Historians of political culture and oratory in the early republic have long been fascinated by the role the public played in shaping the discourse of elected leaders, and have devoted much of their time to exploring how communication in both written and spoken form was used by politicians to improve their reputation in the public eye. Immersed in an age of advanced communication technology like television and the Internet that expose a politician's every word and gesture to the scrutiny of millions of viewers around the nation, many scholars remain convinced that successful politicking in the late eighteenth and early nineteenth century meant appealing to a public audience through skillful use of the written and spoken word. While it is true that the public played a significant role in determining whether an elected leader succeeded or failed, this is far from the end of the story. Speech is a significantly different form of communication than print, a fact that translated into a distinct divide between the public and political audiences every speaker faced.

Massachusetts Federalist Fisher Ames was one of the most well-respected political orators of his generation, a fact that has made him one of the most studied figures for scholars interested in the politics of language in the early republic. But previous analyses of Ames's elocutionary gifts reflect the scholarly insistence that both the written and spoken word were primarily used to persuade a wide public audience. This thesis uses the perspective of Fisher Ames to investigate the divide between public discourse and political power that scholars have yet to fully explore. It argues that scholars have not paid adequate attention to the important divide between speech and print, nor have they analyzed the relationship between members of the public "outer" audience, who observed from the galleries and read the newspapers that covered political proceedings, and members of the "inner audience" of a politician's colleagues, who witnessed every speech in its original form and spectacle, and who alone would decide the persuasiveness of his oration with their vote.



INTRODUCTION

On April 28, 1796, Fisher Ames, Federalist Representative from Massachusetts, rose to address his colleagues in the House for the first time in months. After falling ill the previous autumn with the sickness that would eventually take his life, Ames had spent the previous few months corresponding with friends and colleagues from his Dedham, Massachusetts home and listening silently to the House debates. Not accustomed to playing the role of passive listener as his colleagues debated, Ames grew restless. "It is a new post for me to be in," he complained. He felt useless, "thrown into the wagon, as part of the baggage. I am like an old gun, that is spiked, or the trunnions knocked off, and yet am carted off, not for the worth of the old iron, but to balk the enemy of a trophy." Ames had been in the House for seven years, and understood well the importance of eloquent speaking. Though he had returned to the assembly, his doctor warned that he was still not healthy enough to engage in debate. Without the ability to participate in the debates, Ames considered himself politically dead. The treaty brokered by John Jay after British seizure of American merchant ships in 1794 had been before Congress since July, 1795. Since that time, Ames had witnessed partisan posturing, longwinded speeches, and public violence in response to a treaty many believed to be lackluster at best. The "sophisms and rant" of his colleagues seemed to Ames a poor use of the House's time, and clear evidence that few in the House had carefully read Jay's

Treaty and reflected upon its merits.¹ It was imperative that he marshal enough strength to speak in defense of a document that seemed to have only detractors. Finally, on April 28, Ames stood before the assembly, and prepared to give the speech that would come to define him as the House's most moving and eloquent orator.²

Ames's speech in support of the Jay Treaty has long served scholars as a means of examining language and communication in the early republic. Celebrated as one of the most remarkable speeches in all of American history, it has been used by many scholars as evidence of its author's elocutionary talent, and as a reminder of a time, long before the canned speeches and poll-driven, predictable, and stale rhetoric of today's political leaders, when the spoken word had the power to change minds and move hearts.

¹ Ames to Thomas Dwight, March 9, 1796, in W.B. Allen, ed., Works of Fisher Ames as Published by Seth Ames, 2 vols. (Indianapolis: Liberty Fund, 1983), hereafter cited as Works of Ames, II: 1136; Jerald A. Combs, The Jay Treaty: Political Battleground of the Founding Fathers (Berkeley: University of California Press, 1970), 120-121, 135; Annals of Congress, 3rd Congress, 1st Session, (March 25, 1794), 529.

² For discussion of Ames's reputation as a speaker and political leader, see Winfred E.A. Bernhard, Fisher Ames: Federalist and Statesman, 1758-1808 (Chapel Hill: University of North Carolina Press, 1965); J.T. Kirkland's essay (1809) in Works of Ames I: xliii-liii; Elisha Douglass, "Fisher Ames, Spokesman for New England Federalism," Proceedings of the American Philosophical Society 103 (1959), 713; and John W. Malsberger, "The Political Thought of Fisher Ames," Journal of the Early Republic 2 (1982), 1-20. For analyses of his Jay Treaty Speech and its role in shaping his political legacy, see Sandra M. Gustafson, Eloquence is Power: Oratory and Performance in Early America (Chapel Hill: University of North Carolina Press, 1999). 235-46; Anthony Hillbruner, "Fisher Ames," in Bernard K. Duffy and Halford R. Ryan, eds., American Orators Before 1900: Critical Studies and Sources (New York: Greenwood Press, 1987), 25; James M. Farrell, "Fisher Ames and Political Judgment: Reason, Passion, and Vehement Style in the Jay Treaty Speech," Quarterly Journal of Speech 76, no. 4 (November 1990), 416-34; Samuel Eliot Morison, "Squire Ames and Doctor Ames," New England Quarterly, vol. 1 (1928), 6; Todd Estes, "The Most Bewitching Piece of Parliamentary Oratory': Fisher Ames's Jay Treaty Speech Reconsidered," Historical Journal of Massachusetts 28, no. 1, (Winter, 2000), 1-22; Beth Innocenti Manolescu, "Style and Spectator Judgment in Fisher Ames's Jay Treaty Speech," Ouarterly Journal of Speech 84, no. 1, (February, 1998), 62-79.

Studies of Ames and his famous speech are part of a broader scholarly effort to understand the public dimensions of political discourse. Drawing predominantly or entirely upon analysis of printed materials, many scholars of the early republic have argued that the written word constituted the strongest link between political leaders and the watchful American public audience, and that communicating effectively meant understanding and skillfully manipulating it to a politician's advantage. Joanne B. Freeman's Affairs of Honor: National Politics in the New Republic describes the political uses of pamphlets, broadsides, newspapers, and other forms of written communication to illuminate the complex honor code that shaped the communication and decision making of the 1790s. Key to a politician's success, she argues, was a strong public reputation, which politicians established through keen understanding of the realities of communication and their ability to play their role within the "theater of national politics." "National politicians were no isolated elite, politicking in a bubble of ideology and high ideals," she writes.

For reasons both personal and political, they were accountable to a public with enormous power over their reputations and careers...Different national politicians may have attempted to suppress, stifle, or influence this public in different ways, but as a constant and judgmental audience in a culture of reputation, the public had a prevailing power of its own. This mutual push and pull is the dynamic of republican politics.³

Affairs of Honor is but one of many recent studies that examine the politics of communication and explore the value of the printed and written word as a connection between political leaders and the people they represented.⁴ These studies have

³ Freeman, Affairs of Honor: National Politics in the New Republic (New Haven: Yale University Press, 2001), 59-60.

⁴ See Michael Warner's Letters of the Republic: Publication and the Public

persuasively illustrated how printed media, especially newspapers, the most commonly read and widely distributed type of publication, extended the discourse of national politics into the broader audience of the American public. Recent analyses of political oratory have suggested that eloquent political speakers like Ames aspired to a similar goal, but did so through passionate performance. "Congressmen from all parts of the country used congressional speech for public communication, and their remarks were frequently addressed more directly to their constituents than their colleagues," Noble Cunningham insists, and scholars contend that no speaker in the early republic exemplified this technique better than Ames. "[T]he wiliest demagogue in the House," as Stanley Elkins and Eric McKitrick dubbed him in The Age of Federalism, "possessed a physical beauty, grace, and poise that enhanced his appeal for the visitors in the House gallery," Sandra M. Gustafson claims, and a "style of deliberative oratory" that was characterized by "a form of representative speech intended to clarify and enlarge the popular voice." His Jay Treaty speech was deemed eloquent, James M. Farrell contends, because its author was able to craft an emotional speech that successfully compelled his

Sphere in Eighteenth-Century America (Cambridge: Harvard University Press, 1990); and his "The Public Sphere and the Cultural Mediation of Print," in William Solomon and Robert McChesney, eds., Ruthless Criticism: New Perspectives in U.S. Communication History (Minneapolis: University of Minnesota Press, 1993), 7-37; John Howe, Language and Political Meaning in Revolutionary America (Amherst: University of Massachusetts Press, 2004); Jeffrey L. Pasley, "The Tyranny of Printers": Newspaper Politics in the Early American Republic (Charlottesville: University Press of Virginia, 2001); and Christopher Grasso, A Speaking Aristocracy: Transforming Public Discourse in Eighteenth-Century Connecticut (Chapel Hill: University of North Carolina Press, 1999). For a more in-depth discussion of politics and the public sphere, see Jürgen Habermas, The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society, trans. Thomas Burger and Frederick Lawrence (Cambridge: MIT University Press, 1989).

listeners in the assembly as well as in the House gallery "to recognize the influence of passion and act on the basis of their feelings." 5

These studies correctly point out that communication between members of Congress and the general populace was, then as now, often a two-way street. Members of the public were the authors of personal letters and petitions Congress and its members constantly received. They watched from the galleries and loitered in taverns. They were the publishers and the readers of the newspapers that chronicled and criticized the words and deeds of national politicians on a daily basis for the entire nation to see.

Congressmen, of course, were the speakers elected to advocate on behalf of their constituents. Their speeches would often be printed and distributed in newspapers and pamphlets across the country. They were the authors of letters, directed both privately to individual citizens and publicly to their entire constituency. Each time a congressman rose to voice his opinion, he spoke fully aware of the public audiences outside the political realm, who observed the discourse of national politics in print and from the galleries. The role public exposure played in determining a politician's reputation was something he could ill afford to underestimate.

But though intimately intertwined, speech and print are distinct in ways that play a significant role in determining how large an audience a politician's words could reach. Speech, after all, incorporates not only words but bodily motion and voice tone that appeal to the audiences' emotions but cannot be conveyed through print. By insisting

⁵ Cunningham, ed., Circular Letters of Congressmen to Their Constituents, 1789-1829 (Chapel Hill: University of North Carolina Press, 1978), 3 vols., I: xxviii; Gustafson, Eloquence is Power, 235-36; Farrell, "Fisher Ames and Political Judgment," 421; Elkins and McKitrick, The Age of Federalism: The Early American Republic, 1788-1800 (New York: Oxford University Press, 1993), 448. See also Hillbruner, "Fisher Ames," 25.

that speech, like print, served as a means of addressing and persuading a wider public audience, scholars have obscured the role that oratory played as a means of communicating within the realm of national politics. This has also lead to some confusion regarding analysis of Ames's seminal speech and his legacy as a political orator. As the standard-bearer of arch-conservative Federalism, Ames articulated a strong distrust of the public, ubiquitous in his speeches and writings, which seem to contradict scholarly arguments that Ames's Jay Treaty speech exemplified the eloquence of a statesman who targeted a public audience with a performance designed to captivate the heart and seduce the emotions. This contradiction has not escaped the attention of scholars, and has proven to be one of the most frustrating aspects of Ames's speech, leading some to conclude that the contradiction cannot be explained. "[W]hy did Fisher Ames, long suspicious of the influence of passion in politics, faced with the most vital foreign policy question of his age, suddenly advocate that the Jay Treaty ought to be determined by feelings?" Farrell asks. "We will never know for certain."

This essay explores the divide that existed between the closely linked but distinct worlds of speech and print, and examines the extent to which speech shaped how national politicians communicated with one another, rather than the public at large. It argues that while political leaders relied on printed sources, especially newspapers, as the ideal means of reaching a large public audience, within the assembly, the debating and decision making of national politics took place in a form and spectacle that could not be translated to the written or printed page. Speakers were judged as much by the performance they gave as by the position they advocated, their colleagues evaluating

⁶ Farrell. "Fisher Ames and Political Judgment." 431.

every facet of their oration based on an intimate familiarity with their political ideologies and elocutionary styles that was bred out of constant interaction and observance of one another in both public orations and private discussion—a familiarity that text could not capture and even visitors in the gallery could not share. When a national leader rose to speak, he knew that his most important and most demanding audience would not be the audience of public outsiders who listened from the gallery and followed the debates in print, but the inner audience of his colleagues before him. Exploring how politicians understood the relationship between the different audiences they faced, examining the role speech played as the primary means of communication within the assembly, and investigating how this unique role shaped the discourse of elected leaders are important endeavors that scholars have yet to fully undertake.

But because of the nature of the differences between the spoken and the written word, taking on these important tasks is admittedly difficult. Scholars rely upon the durability of text to preserve the words speakers used to articulate their ideas and grant future generations access to the ethereal world of oratory, a world comprised not merely of words but of elocutionary intangibles like gesture, inflection, and body language. It is little wonder that studies of the political uses of speech have come to dovetail so much with studies of print. To explore the divide between these two forms of communication, and the multiple audiences every speaker had to contend with, therefore, we must look beyond simply what a speaker said to what those who heard him observed. In the absence of modern technologies like recording devices, television cameras, and the Internet, we must examine not merely the speeches politicians gave but what their

colleagues said about them, and how this differs from what public audiences could see and hear.

Fisher Ames was not only the author of one of the most studied and celebrated orations in American history; he was also a keen observer of the political world around him. Serving in the House of Representatives for his entire tenure in national politics, Ames recorded his observations not only about the ideas championed by his colleagues, but how those ideas were expressed by various speakers and received within the assembly. His letters, speeches, and essays grant us a unique and valuable perspective through which current scholarly assertions about how leaders communicated within the realm of national politics can be tested, and his seminal speech can be reassessed. For if any truth exists in the current scholarly assertions that speech, like print, was primarily used to by political leaders to reach a broad public audience, surely it would be apparent in a study of one of the most gifted speakers of his generation, speaking in a publiclyelected and publicly-accessible legislative body. If we are to gain a more complete understanding of the political realm of the early republic and the divide between the public and political audiences every leader faced, the perspective of Fisher Ames seems a natural place to begin.

CHAPTER 1

POLITICAL DISCOURSE AND PUBLIC PERCEPTION

On Thursday, April 30, 1789, the newly-inaugurated President Washington took his oath of office from the balcony of Federal Hall in New York City, and gave his first presidential address to a joint session of the two houses of Congress. For Fisher Ames and his colleagues, it was the first chance to see the champion of the Revolution and the Commander-in-Chief speak as the leader of the United States. Washington's first inaugural was elegantly crafted and his words were carefully chosen. Printed in pamphlets and newspapers throughout the country, it seemed to Ames destined to be an immediate classic to the people of the new nation. Ames wrote to George Richards Minot that he "sat entranced" as Washington spoke. "It seemed to me an allegory in which virtue was personified, and addressing those whom she would make her votaries. Her power over the heart was never greater, and the illustration of her doctrine by her own example was never more perfect."

Washington's performance, however, left much to be desired. He seemed nervous, speaking softly at times, so much so that listeners had to strain to hear him. He looked old and battle-weary, Ames thought, remarking that "time has played havoc upon his face." Others with a close view of Washington the orator made similar critiques.

⁷ Ames to George Richards Minot, May 3, 1789, in Works of Ames, I: 567-68.

⁸ Ibid.

Pennsylvania Senator William Maclay noted that Washington "trembled" nervously when he spoke, his voice low and soft. "He put part of the fingers of his left hand into the side of what I think the tailors call the fall of the breeches, changing the paper into his left [right] hand," Maclay wrote. "After some time he then did the same with some of the fingers of his right hand. When he came to the words all the world, he made a flourish with his right hand, which left rather an ungainly impression."

Ames carefully considered the political lesson illustrated by the president's speech. Washington's speech clearly worked, if only because it was Washington delivering it. The sheer force of the president's considerable reputation made it captivating, even to observers like Ames who viewed the speech close enough to note its flaws. But even without that, Washington's words would certainly move the public audience who would read it as printed text, and its eloquent composition could conceivably make the speech even more memorable and moving as a document, devoid of its author's soft voice, aging face and awkward gestures. Ames enclosed with his letter a copy of one of his own speeches that had been recently published by John Fenno, editor of the Federalist Gazette of the United States. Feeling that the speech was "not flattered by the publication," Ames suggested that he (Ames) have it republished in Boston, perhaps anonymously, after retouching it to make its prose more appealing to the eye. Discrepancies between the two drafts would be blamed on newspapers and their routine practice of "[taking] the debates from shorthand writers." "I submit it to your friendship," Ames wrote, "to judge whether it will tend to create invidious observations

⁹ William Maclay, April 30, 1789 in Edgar S. Maclay, ed., *The Journal of William Maclay: United States Senator From Pennsylvania, 1789-1791* (New York: D. Appleton and Company, 1890) hereafter cited as *Maclay's Journal*, 9.

against me, or be a prudent thing."10

In the last two decades of the eighteenth century, newspapers were but one of many types of printed materials that had proliferated across the young nation. They joined pamphlets, publicly-addressed letters, broadsides and more to weave an intricate web of gossip, news, and political advocacy that many believed unified the nation through the exchange of ideas. Newspapers, however, proved to be a particularly effective means of bridging the gap between politicians and their constituents. Spread throughout the nation and constantly growing, the network of gazettes, journals, and advertisers that dotted the landscape of the young nation in the 1790s provided a format for many forms of political correspondence, particularly accounts of congressional debates and the speeches of representatives, and targeted the widest public audience of all forms of print. Casting such a wide net over the increasingly literate American public, the press distributed the words of elected leaders to all corners of the country, and politicians who aspired to eloquence quickly learned that they could ill-afford to ignore its presence. ¹¹

"Modern political oratory" was a spectacle "chiefly performed by the Pen and the

¹⁰ Ames to George Richards Minot, May 3, 1789 in *Works of Ames*, I: 568; Elkins and McKitrick, *The Age of Federalism*, 282-84.

¹⁷⁹⁰s, as well as analysis of the impact of other types of printed communication, see Richard R. John, Spreading the News: The American Postal System from Franklin to Morse (Cambridge: Harvard University Press, 1995); and Pasley, "The Tyranny of Printers." For data on the proliferation of newspapers in these decades, see Simon P. Newman, Parades and the Politics of the Street: Festive Culture in the Early American Republic (Philadelphia: University of Pennsylvania Press, 1997), 3. According to Kenneth Lockridge, by 1790, almost 90 percent of males in New England could read. See Lockridge, Literacy in Colonial New England: An Enquiry into the Social Context of Literacy in the Early Modern West (New York: W. W. Norton and Co., 1974), 18-21.

Press," proclaimed printer and politician Benjamin Franklin, and many of his contemporaries agreed. The intertwined nature of the printed and spoken word was hailed by many as the catalyst of a more "civic" political discourse that took place not only in the assemblies of elite political leaders, but also among members of the literate public in salons, coffeehouses, and in the street. Newspapers in particular were widely celebrated for widening the scope of political participation, promoting what James Madison called a "free intercourse of sentiments" that unified the nation. They were a "channel of information," one French observer noted, functioning simultaneously as a means for politicians to correspond with the public back home and as a window through which the nation could view the debates and proceedings of their elected representatives. Moreover, others remarked, their wide-reaching circulation ensured exposure of political corruption and deceit. Serving before the Senate opened its doors to the public, William Maclay simultaneously praised the press and criticized his colleagues when he noted that some of them "would have been ashamed to have seen their speeches of this day, reflected in the newspapers of to-morrow."¹²

But for Fisher Ames, these facts made the press's political power even more suspect and potentially dangerous. Throughout his tenure in the House of Representatives, Ames held a deep-seated suspicion of the public, a suspicion he repeatedly articulated in his letters, essays, and speeches. "The power of the people, if uncontroverted, is licentious and mobbish," he believed. Devoid of "nine-tenths of the

¹² Leonard W. Labaree, Whitfield J. Bell, Jr., et al., eds., *The Papers of Benjamin Franklin*, 24 vols. (New Haven: Yale University Press, 1959), III: 413; Freeman, *Affairs of Honor*, 123-26; Pasley, "*The Tyranny of the Printers*," 105; Cornell, *The Other Founders*, 248-49; January 17, 1791, in *Maclay's Journal*, 371.

good sense there is," the public was a mixture of "[t]he credulous [who] will believe the worst story because it is the most wonderful, and the lazy and the busy [who] will agree in admitting the first that reaches them because they will not, perhaps cannot, sift the circumstance of any." A government that appealed to the public was "a government by force without discipline. It is led by demagogues who are soon supplanted by bolder and abler rivals, and soon the whole power is in the hands of our favorite, the boldest and most violent." It was "a military government in the embryo." 13

A distinct divide existed between national politicians and the public they represented, despite the connection print, especially newspapers, provided. For Ames, this was as it should be. Newspapers played an important role as the bridge between the two, and their writers and editors therefore had an obligation to maintain the integrity of this bridge by broadcasting the discourse of elected leaders accurately and unencumbered by emotional or politically biased writing. There existed far more to the discourse and decision making of national politics than what the public could observe, and because members of the public based so much of their assessment of the issues at hand and the men who represented them on what they read in print, it was crucial that the press use its power responsibly, if only to keep the "licentious and mobbish" subdued and the "credulous, the lazy and the busy" content. But for Ames, newspaper writers were straying dangerously far from this goal. Contrary to their purpose, the press was wresting control over political matters from the hands of America's elected leaders by exerting its own influence over the emotional and easily-led public through sensationalized writing

¹³ Ames to Oliver Wolcott, Jr., quoted in Malsberger, "The Political Thought of Fisher Ames," 6; Ames, Ames, [Untitled], (1794?), in *Works of Ames*, II: 977-78.

and blatant inaccuracies. "The newspapers greatly influence public opinion," he lamented, "and that controls everything else." ¹⁴ They have "[supplied] an endless stimulus to their imagination and passions...render[ing] their temper and habits infinitely worse," and have "inspired ignorance with presumption, so that those who cannot be governed by reason are no longer to be awed by authority." ¹⁵

While few fellow national leaders articulated their suspicions of the public with the same level of cynicism, the belief that members of the public were more erratic and emotional than their more educated and refined representatives, and were therefore vulnerable to emotional manipulation by crafty and unscrupulous politicians and publishers, was widely held. Words like "democracy," and "enthusiasm" that today call to mind principles of social equality and the freedoms afforded people through self-rule, and genuine interest or excitement for a subject or cause, were often used by elite leaders across lines of political ideology to connote the disintegration of "civilized" society through rejection of traditional social order and an embrace of the unguided passions. "[T]he evils we experience flow from the excess of democracy," Republican Elbridge Gerry remarked during the Constitutional Convention. "The people do not want virtue, but are the dupes of pretend patriots." Federalist John Adams lamented in the early 1790s that the pro-French sentiment sweeping the nation had made the public "so blind...and enthusiastic of everything," and his son, Thomas Boylston Adams, observed to his brother John Quincy that "[t]he Athenians doubtless afford an excellent example of

¹⁴ Ames to Jeremiah Smith, December 14, 1802, in Works of Ames, II: 1450.

¹⁵ Ames, "The Dangers of American Liberty," (1805) in Works of Ames, I: 134. See also "Review of a Pamphlet on the State of the British Constitution," (1807?), in Works of Ames, I: 183-86.

the *violence* to which a Democratic government necessarily leads people." They too were well-aware of the power of the press to shape public perception, and shared Ames's opinion that writers and editors carelessly printed whatever they wished, distorting the words of political leaders to fit space constraints and political agendas in the process. George Washington fumed that "the gazettes" were "*sur*-charged, and *some of them* indecently communicative of *charges* that need evidence for their support." Thomas Jefferson became so incensed with the "putrid state," of the press and "the malignity, the vulgarity, and mendacious spirit of those who write for them" that he concluded "[a]s vehicles of information, and a curb on our functionaries, they have rendered themselves useless, by forfeiting all title to belief." James Madison accused an editor of "mutilation," "perversion," and even "illiteracy" when he suspected a paper of slanted coverage of House proceedings.¹⁷

of 1787, Adrienne Koch, ed. (Athens: Ohio University Press, 1966), 39; John Adams quoted in James Morton Smith, ed., The Republic of Letters: The Correspondence Between Jefferson and Madison, 1776-1826, 3 vols. (New York: W.W. Norton, 1995) II: 746; Thomas Boylston Adams quoted in Linda K. Kerber, Federalists in Dissent: Imagery and Ideology in Jeffersonian America (Ithaca: Cornell University Press, 1970), 177. For more discussion of Republican distrust of the public, see Saul Cornell, The Other Founders: Anti-Federalism & the Dissenting Tradition in America, 1788-1828 (Chapel Hill: University of North Carolina Press, 1999), and "The Address and Reasons of Dissent of the Minority of the Convention of Pennsylvania to their Constituents," (December 18, 1787) in Pennsylvania Packet and Daily Advertiser, in Herbert J. Storing, ed., The Complete Anti-Federalist, 7 vols. (Chicago: University of Chicago Press, 1981) III: 145-66. For discussion of the Federalist view, see Kerber, Federalists in Dissent, esp. chap. 6; and Woody Holton, "Divid et Impera': Federalist 10 in a Wider Sphere," William and Mary Quarterly, 3rd Series, LXII, no. 2, (April 2005), 175-211.

¹⁷ Washington to Gouvernor Morris, June 21, 1792, in Dorothy Twohig, ed., *The Papers of George Washington*, 12 vols. (Charlottesville: University Press of Virginia, 1987-2002), X: 491; Thomas Jefferson to Walter Jones, January 2, 1814, in Merrill D. Peterson, ed., *Thomas Jefferson: Writings*, (New York: Literary Classics of the U.S., 1984), 1317; James Madison to Thomas Jefferson, May 9, 1789 in Charles F. Hobson,

In a political realm that revolved around reputation, few things angered national leaders more than public criticism based on false or incomplete information, and few things worried them more than the press's power to control what information reached the public. Fearing that readers would have no choice but to accept what was printed at face value, politicians fretted and complained constantly about the frequency and the ease with which their words were distorted in print. Printers wielded complete discretion over what was published and what was cut; they decided if and how the contents of a speech, essay, or report on political proceedings would be edited or changed. Each omission of a word, each paraphrase of an idea, drove a deeper and potentially more damning wedge between what an elected leader actually said and what the public perceived. Through the late 1780s and 1790s, many politicians responded to this by turning their attention inward, distributing important documents and correspondences only to a very limited group of fellow politicians, rather than risk the distortions of press publication. "Neglect[ing] the cultivation of popular favour," as Alexander Hamilton called it, carried risks of its own, as it made one a target for accusations of aristocratic elitism and charges that one wished to supercede the authority of the public will by not exposing one's ideas to public scrutiny. But the embarrassment one suffered from such indictments by his peers, many felt, paled in comparison to the potentially devastating consequences of public ridicule. 18

Robert A. Rutland, et al., eds., *The Papers of James Madison*, 22 vols., (Chicago and Charletterville: The University of Chicago Press and the University of Chicago and

Charlottesville: The University of Chicago Press and the University Press of Virginia, 1962-1993), hereafter cited as *James Madison Papers*, XII: 142. See also Thomas Jefferson, "Anas," (excerpt), in *James Madison Papers*, XIV: 56-57.

¹⁸ Saul Cornell describes one instance in 1787 when Virginia Anti-Federalists George Mason and Richard Henry Lee distributed important political essays and letters

Try though they might, though, national leaders could never keep their words completely out of the public eye. Even if they kept their letters and private documents well-guarded and out of the hands of editors and political opponents, newspaper coverage of political proceedings and publication of congressional speeches ensured that a politician could escape public scrutiny only if he never said a word in the assembly—which no politician could afford to do. It seemed that if public opinion were truly paramount to the discourse of national politics, than the press, not the representatives in the assembly, truly had the last word.

Ames wrote and spoke comparatively little about the press in his essays, letters and speeches, but his letter to Minot describing George Washington's first inaugural address does support the contention that political speech and print were intimately linked. It illustrates how the relationship between the two played a role in shaping what politicians said, and what they hoped their words would accomplish in the public sphere. But his letter also reveals important details about the difference between the public and political audiences with which every speaker had to contend, and the different roles speech and print played in the realm of national politics. It offers a glimpse at the distinct divide that existed between what went on in the discourse of national politics and what the press reported, a divide that was both the root of politicians' fears about the power of the press, and what made it possible for political leaders to deal with competing (and

about the Constitution to selected men within their political network, rather than to the general public through newspapers. Their action immediately drew venom from Federalist Tobias Lear, who argued that their technique was underhanded and a blatant attempt to "[hand] forth" their opinions "without submitting [them] to the test of public investigation." Cornell, *The Other Founders*, 74-76; Hamilton to James A. Bayard, April 16-21, 1802, in Harold C. Syrett, et al, eds., *The Papers of Alexander Hamilton*, 27 vols., (New York: Columbia University Press, 1961-1987), XXV: 606.

often conflicting) public and political audiences. Elected leaders understood that the "national public audience" who read a speaker's oration in the newspapers or observed the discourse from the gallery was, at best, a second-hand participant in the discussion. This distinct separation was what gave the press its power, for without access to the private conversations, confidential correspondences, and the daily performances of assembly members, the public had no choice but to view the discourse of their elected leaders through the distorted and incomplete lens of the press. This meant that a politician could rarely undo the damage lies, distortions, or "unflattering" printed speeches could do to his reputation once published for all the nation to see. But politically savvy speakers like Ames knew that writers and editors were not the only ones who could take advantage of the malleable nature of the printed word. The politician was, after all, the author of the speech, and through creative editing or alteration of his own, he could offer his own "version" of the original that could at least minimize the political repercussions the newspaper's modifications may have caused, and perhaps, if he was fortunate, give himself a second chance at eloquence.

But a *second* chance, Ames's letter also suggests, was all it could ever be.

Communicating effectively in the realm of national politics involved an understanding of the different audiences political speakers faced, and the different criteria by which these different audiences judged him. Unlike the general public, the inner audience of a colleague's peers experienced his performance first, and convincing them required far more than polished prose. Before them, the fate of every speech, even if the author was the universally revered and admired President George Washington, hinged not only on his command of his words but also his command of the room. The role the performative

aspects of speech played in shaping a politician's reputation among his peers was so profound that even Ames, who admitted he was "entranced" by Washington's presence, could not ignore the President's sub par performance and the extent to which it detracted from its power and effectiveness before Congress.

This is not to suggest that print was important only as a means for leaders to conceal from public view the elocutionary foibles that were in plain view for their colleagues. Members of the House of Representatives relied on print to help them keep their constituents abreast of the latest political developments and to convey what they were doing to advocate on their behalf. In addition to speeches before the assembly, House members also published essays addressing specific political issues and wrote open letters to be published in newspapers their constituents were likely to read. But elected leaders quickly learned that the importance of performance was an inescapable reality of national politics, as advocating on behalf of one's constituents in the assembly involved a mastery of elocutionary skills that could not be conveyed through print and would likely not be seen by the public. Politicians quickly discovered that the charge of everyday governance was a very different task than keeping their constituents back home up-todate on political developments. Indeed, corresponding with members of the public was very time-consuming, and tailoring speeches to address constituents was a laborious task whose benefits depended on what the "shorthand writers" in the gallery could take down and what newspaper editors chose to print. Both, savvy politicians concluded, detracted from their primary responsibility of representing their constituents in the assembly far more than they helped any political cause. Theodorus Bailey of New York thought it necessary to write frequent letters to be published in local newspapers, but he conceded

that doing so only disseminated "information... generally" to the people he represented. When Francis Preston of Virginia wrote letters to his constituents in 1794, he admitted that his "intention when [he] came to this place" was to give his constituents "all the information in his power, and at as early a period as possible, on those subjects which effect their interest." He soon found, however, that his "acquaintances within the district" were "so numerous, that it would be a laborious task to write them all, and would divert my attention too much from the business I am sent here on." ¹⁹

In short, print was the preferred method of reaching the national public audience outside the halls of the assembly, but politicians were forced to concede that the link it provided between elected leaders and those they represented was often tenuous, distorted, and as potentially dangerous to their reputation as it could be beneficial. While politicians like Ames devised various ways to deal with the challenges and frustrations of print, they also turned their attention inward, to an environment within the walls of the assembly that posed unique challenges of its own.

Just eight days after reaching a quorum, the House introduced one of the most unique and formidable challenges with which its members would have to contend: a gallery of public visitors. "All ranks & degrees of men seemed to be actuated by one common impulse, to fill the galleries... & to gaze on one of the most interesting fruits of their struggle, a popular assembly summoned from all parts of the United States," James Kent, an early onlooker of the House's public opening in 1789, observed in 1832. "I was looking upon an organ of popular will, just beginning to breathe the Breath of Life &

¹⁹ Cunningham, Circular Letters, I: 17, 20-21.

which might in some future age, much more truly than the Roman Senate, be regarded as 'the refuge of nations.'"²⁰

Neither the Senate nor the executive or judicial branches were subject to the daily scrutiny House members faced from the visitors in the gallery. Their presence made them an audience distinct from the rest of the public who had only print to rely upon. It was impossible for politicians to anticipate who would be in the gallery, as it changed every day. But despite this, the public audience could not simply be ignored. Visitors in attendance were a visible, audible, tangible reality, many of whom were not simply nonbiased spectators who were there to observe, but were interested citizens who likely hailed from the city in which Congress convened or a nearby town or community, and who took advantage of their close proximity to the national political community to actively keep up with political developments. While observing the proceedings, visitors in the gallery moved about, chatted with each other (in whispers, if the speaker was lucky), and interrupted proceedings with petitions and other correspondences to their elected leaders. Some groups were particularly bold, not limiting their presence to the proceedings inside the congressional walls. When presenting a petition to the House to abolish slavery in 1790, a group of eleven Quakers from Philadelphia intruded on representatives outside the House, writing letters to House members and confronting them on the street. Inside, they made their presence felt as well, as Jeffrey L. Pasley

²⁰ James Kent to Elizabeth Hamilton, Dec. 2, 1832, in Charlene Bangs Bickford, "'Public Attention is Very Much Fixed on the Proceedings of the New Congress': The First Federal Congress Organizes Itself," in Kenneth R. Bowling and Donald R. Kennon, eds., *Inventing Congress: Origins and Establishment of the First Federal Congress* (Athens: Ohio University Press, 1999), 148; Andrew W. Robertson, *The Language of Democracy: Political Rhetoric in the United States and Britain, 1790-1900* (Ithaca: Cornell University Press, 1995), 11-15; Gustafson, *Eloquence is Power*, 234-35.

describes it, "looming over the proceedings like the specters of a guilty national conscience."²¹

The active presence of public citizens made impressing the galleries a tall and important task, one that required each man to make difficult decisions about how he crafted his orations he did not have to think about when considering the public outside the House chamber. Should he include the public in his oration by making eye contact with visitors as he spoke, or should he confine his gaze to his colleagues to avoid the impression that he was playing to the crowd? Should he employ broad, sweeping gestures, or should he be more reserved? Should he speak loudly and forcibly, to convey a sense of power and authority, or should he express a deliberate, rational disposition with a softer tone?

Perhaps the most important decision a speaker had to make was to decide how long his speech should last. Brevity had the advantage of being succinct, but a speech devoid of any ornamentation would likely not impress one's listeners; garrulousness increased the likelihood that at least a passage or two from his speech would survive the editorial chopping block and the selective memory of gallery members who may or may not ever hear him speak again, but ran the risk of boring listeners with superfluous filler. While some members like Elbridge Gerry resolved to "be a spectator," speaking only after he had acquired more knowledge of his colleagues and the issue at hand, many others considered cautious silence political suicide. It was imperative to every man's

²¹ For a general description of petitioning the early Congress, see Jeffrey L. Pasley, "Democracy, Gentility, and Lobbying in the Early U. S. Congress," in Julian E. Zelizer, ed., *The American Congress: The Building of Democracy* (New York: Houghton Mifflin, 2004), 38-62, quote p. 49; James Sterling Young, *The Washington Community*, 1800-1828 (New York: Columbia University Press, 1966).

political reputation that he make it clear to the public that he was involved in the discussion and not merely taking up space. He must "make a speech," as William Eustis put it in 1794, "if it is about the black art, or cock fighting or Indian fighting or the age of reason…any thing but make a speech."

Because a speaker had to demonstrate that he was capable of making a speech that not only looked good in print but also moved and persuaded those who heard it in person, the House gallery was a popular spot for other political leaders, particularly members of the Senate, who frequently joined concerned citizens in the gallery, watching, listening, evaluating each speaker's political mettle. Observers attended carefully to both the words the speaker used and the way he spoke, and were not bashful about recording their thoughts in diaries, journals, and letters that were circulated around to friends and political allies. Even gifted speakers like Ames were subject to criticism. During one visit to the House, William Maclay noted that Ames was long-winded and excessively methodical in his orations, and seemed more concerned with superfluous rhetorical flourishes than actually making a point. "Ames delivered a long string of studied sentences, but he did not use a single argument, which seemed to leave an impression," Maclay recalled. "He had 'public faith,' 'public credit,' 'honor, and above all justice,' as often over as an Indian would the 'Great Spirit.'" For less gifted speakers, the criticism was particularly harsh. As a political thinker, James Madison was almost universally respected, but even admirers had few words of praise for Madison's oratorical

²² Gerry to James Warren, March 22, 1789, in C. Harvey Gardiner, ed., *A Study in Dissent: The Warren-Gerry Correspondence, 1776-1792* (Carbondale: Southern Illinois University Press, 1968), 220; William Eustis to David Cobb, December 4, 6, and 18, 1794, in Freeman, *Affairs of Honor*, 33-34.

performance. Thomas Lowther, a friend of Supreme Court Justice James Iredell, lamented that though he "had formed the highest expectations" of James Madison, he "had very little opportunity of forming an opinion" of him while observing House proceedings, "for whenever he has spoke...it has been in so low a tone of voice, that I could not well distinguish what he said; his voice appears too defective for so large a man." When Madison's voice was loud enough to be heard, his voice was often "hollow" and "feeble," according to Zephaniah Swift, and his manner of speaking, though technically proper, lacked "energy or expressiveness." The message was clear: gifted and deficient speakers alike had to perform before the inescapable presence of the gallery, a live audience of vigilant political leaders and public citizens who could observe far more that readers of newspapers ever could.

But despite all that visitors in the gallery could observe, not even they had a complete view of the political discourse of the House. For one thing, the gallery was physically distinct from the assembly, and visitors observed proceedings from a distance great enough to render soft speaking virtually impossible to hear. Politicians sometimes "spoke so low as not to be heard in the gallerys," as the *New York Daily Gazette* reported in January, 1790, thereby using their voices by accident or by design to exclude the public audience in their midst during open proceedings. Moreover, the public could be further separated by a simple motion by any House member to clear the galleries and close proceedings if sensitive information was to be presented or a confidential report given. Newspaper reporters always noted when the doors were shut, and included

²³ Thomas Lowther to James Iredell, May 9, 1789, in Griffith J. McRee, ed., *Life and Correspondence of James Iredell, One of the Associate Justices of the Supreme Court of the United States*, 2 vols. (New York, 1949) II: 258-59; February 15, 1790, in *Maclay's Journal*, 197; Swift quote from Grasso, *A Speaking Aristocracy*, 407.

whenever possible information regarding the reason for the House's secrecy. "Mr. Wadsworth of the Committee on that part of the President's speech respecting the South-Western Frontiers...informed the House it is ready to report," the *Connecticut Journal* stated in February, 1790. "[Because of] This report, relating to business of a confidential nature, the doors of the gallery were shut." But members did not need to specify their reasons, and a motion to close the House doors to public scrutiny was seldom opposed or defeated. The *Essex Journal* could only report that the House closed its doors after receiving a message from the president in January, 1790, and the writer for the *Daily Advertiser* in March, 1792 only knew that Theodore Sedgewick had a report of a sensitive nature to present to the House, but did not give specific reasons why the galleries needed to be cleared. While a formidable presence in the House, the public observers in the gallery, like those who read the words of their elected leaders in the newspapers, often found themselves on the outside looking in.

For Ames, this was the House's saving grace, as the gallery provided an easy means for the untutored masses to infiltrate the elite discourse of elected leaders. Few things were as moving to the multitudes as excessively passionate orations that were devoid of reason or argument, he believed, and few things more quickly corroded the speech of educated men. Every speaker who aspired to eloquence had to take care that his orations could not be construed as a shameless attempt to manipulate the House by playing to the basest and most detestable nature of the uneducated public. When Congress considered proposals regarding how the president should be properly addressed

²⁴ New York Daily Gazette, January 20, 1790; Connecticut Journal, February 3, 1790; Essex Journal, January 27, 1790; Daily Advertiser, March 5, 1792.

just months after convening in 1789, Ames reported that "a committee of both Houses had reported that it is not proper to address the President by any other title than that in the Constitution." After receiving word that the Senate had rejected the report, Republican members of the House, one after the other, launched into boisterous and extended tirades about the unconstitutionality of titles. Their emotional harangues drew upon every appropriate superlative to describe the egregiousness of any presidential title outside that prescribed in the Constitution. "The antispeakers edified all aristocratic hearts by their zeal against titles. They were not warranted by the Constitution; repugnant to republican principles; dangerous, vain, ridiculous, arrogant and damnable," Ames recalled. "Not a soul said a word *for* titles. But the zeal of these folks could not have risen higher in case of contradiction." Ames could think of only two possible explanations for such a reaction: either their arguments were "intended to hurry the House to a resolve censuring the Senate, so as to set the two Houses at odds," or they were "addressed to the galleries" to whip public spectators into a frenzy. ²⁵

Unlike those who read about House debates in the newspapers, public visitors were privy to a politician's words as well as his body language, gestures, and voice tone, not to mention the reactions of other observers in attendance, all of which played a crucial role in their assessment of his eloquence. Such a spectacle could never be fully represented in the press by creative editing or selective publishing. Every time a politician rose to speak, he was cognizant of the gallery, a constantly-changing assortment of active public visitors and observant politicians who watched and listened and judged, whose impressions would significantly influence his political reputation. But

²⁵ Ames to George Richards Minot, in Works of Ames, I: 581-82.

though it offered citizens a chance to personally observe the political discourse most of the nation would only read about in print, the gallery, like the press, was nonetheless an outside presence that offered a still limited view of national political discourse.

The divide between public perception and the inner workings of national politics was distinct from the moment elected leaders convened in 1789. While outsiders praised the House as "an organ of popular will" and advocates of a more civic political discourse began pressuring the Senate to open its doors as well, many in Congress, particularly in the House, were apprehensive about the ability of the Congress to govern effectively. Their concern was brought on primarily by how little they knew about one another. John Adams lamented that, unlike that of "a Provincial Assembly, where we know a Man's Pedigree and Biography, his Education, Profession and Connections, as well as his Fortune," in national politics, where few preexisting personal connections existed to reveal each man's political strategy or party affiliation, "We frequently see Phenomena which puzzles us." Elbridge Gerry commented that in the House he "has few or no connections and friends" and that his colleagues "were in the same body but politically sequestered." Ames in particular did not quite know what to make of his new colleagues and their potential to lead the new nation. Though the men he would work with daily appeared to be "solid, moderate men, who...have considerable experience and honest intentions," he could not deny the strong sense of doubt that made his optimism cautious at best. He was distressed by what appeared to be a conspicuous lack of "shining talents" among his peers, but his anxiety also stemmed from the fact that he had never met these men before, and knew nothing about them. "The House is composed of sober, solid, oldcharacter folks, as we often say," he asserted, before adding: "At least, I am sure that there are many such." ²⁶

In an effort to learn as much as possible about the "men and measures" of the House, members listened carefully to their colleagues' orations before the assembly. As they listened and spoke to one another over time, they developed an intimate knowledge of one another that could only be cultivated by close and constant interaction within the secluded realm of elite national politics.²⁷ In the midst of skewed press coverage, a vigilant and constantly-changing public audience, and uncertainty about the future of the young nation, this intimate contact became both a source of stability in the midst of constant doubt, as well as the source of the toughest criticism a speaker would face.

Though the composition of the assembly changed with each election, the years a representative spent within this innermost audience gave him ample time to become acquainted with his colleagues and gain an intricate familiarity of individual speaking styles unavailable to the public. As reputation was a politician's most precious asset, it quickly became clear to those in the House that a man's standing in the public eye and his eminence within the assembly were not necessarily equal. Options existed for a politician knowledgeable of the powers and limits of both the press and the gallery to decrease the likelihood of a negative public image. But before his colleagues, each speaker's elocutionary talent was laid bare and every oratorical faux pas was exposed: if

²⁶ John Adams, diary entry, in Freeman, *Affairs of Honor*, 20; Elbridge Gerry to James Warren, March 22, 1789, in Gardiner, ed., *A Study in Dissent*, 219-20; Ames to Minot, April 4, 1789, Ames to Samuel Henshaw, April 22, 1789, Ames to William Tudor, April 25, 1789, in *Works of Ames*, I: 563-66.

²⁷ Gerry to James Warren, March 22, 1789, in Gardiner, ed., *A Study in Dissent*, 220.

an orator spoke too softly or too loudly; if he appeared to lack confidence or exude arrogance; if his voice could not be heard over the thud of footsteps, the chatter of private conversations, and the shuffle of papers, or if his voice was so loud that it was jarring and unpleasant; even if the speech was suspected of not being his own; his peers would notice, and his political clout within the assembly would suffer.

To a significant extent, a man established his political reputation within the assembly with words, and as hard as a reputation was to build, it was harder to maintain, and very easy to destroy. While it may have taken a mediocre speaker several compelling orations to improve his reputation and convince his colleagues that the first one or two had not been a fluke, it only took one misstep to severely damage a man's standing among his peers. While no strategy guaranteed success, speakers routinely opted to enlist more eloquent colleagues, often without the colleagues' knowledge, to help them craft their speech. Politicians borrowed terms and phrases from one another often, sprinkling in a colleague's expression or wording into a speech of their own if they thought it added something to their argument. Such a practice was often virtually undetectable to the general populace, and could be potentially beneficial if it helped garner the speaker public support. Even within the assembly, this practice was perfectly acceptable in moderation, as it was understood that each man's unique speaking style, which included both his style of delivery as well as his word choice, would rub off on his colleagues as they heard each other speak.

Carried too far, however, this strategy could backfire and cement the speaker's reputation as an oratorical plagiarist who had nothing substantial of his own to contribute.

When Thomas Jefferson heard William Loughton Smith deliver a speech that sounded

too different from Smith's style to be his own, Jefferson promptly revealed the South Carolinian's blunder to James Madison. "I am at no loss to ascribe Smith's speech to its true father," Jefferson wrote.

Every tittle of it is Hamilton's except the introduction. There is scarcely anything there which I have not heard from [Hamilton] in our various private tho' official discussions. The very turn of the arguments is the same, and others will see as well as myself that the style is Hamilton's. The sophistry is too fine, too ingenius even to have been comprehended by Smith, much less devised by him.

Upon finishing, Smith was questioned about various arguments of the speech. Jefferson remarked that Smith's reply "shews [sic] he did not understand his first speech: as it's general inferiority proves it's legitimacy as evidently as it does the bastardy of the original." A speaker could plagiarize or distort words for public visitors and the press in the galleries, but his colleagues would not be fooled.

Throughout his time in national politics, Ames learned well how crucial the audience of one's colleagues was in determining a speaker's political reputation, making note of how his colleagues in the House addressed the assembly, and the effectiveness of their arguments. He considered it an obligation he must fulfill to keep his friends and political allies in the loop. "It is not easy to write the transactions of the House," he admitted to George Richards Minot, "because I forget the topics which do not reach you by newspaper." Ames resolved to provide his closest friends with an accurate picture of the inner-workings of House debates that could not be reached by an outsider. ²⁹

What his observations reveal is a political body whose members judged each

²⁸ Jefferson to Madison, April 3, 1794, in James Morton Smith, ed., *The Republic of Letters: The Correspondence Between Jefferson and Madison, 1776-1826*, 3 vols. (New York: W.W. Norton, 1995), II: 839.

²⁹ Ames to George Richards Minot, May 14, 1789, in Works of Ames, I: 582.

other as much on the performances given as the arguments made, each member evaluating from a particular point of view that colored his perception of the people with whom he interacted and their abilities as speakers. For all the criticism James Madison received as a speaker, some listeners, particularly political allies like William Lyman, thought him to be the epitome of eloquence, praising the "Accuracy" of his language and the "extensive Information" that he cited to make his point. Upon hearing a Madison speech, Lyman celebrated the his ability to "[engage] our attention for two hours and a half during which time in a full House and thronged with Spectators there was such perfect Silence that you might almost have heard a pin fall."

Probably Madison's biggest nemesis in the House, Ames observed Madison intently, paying particular attention to both his elocutionary technique and what effect it had on the assembly. He made a valiant effort to be more even-handed in his assessment, praising Madison as a brilliant political mind, whose ability to "trace...through the mazes of debate, without losing it" was without peer. He "is cool, and has an air of reflection" about him, Ames believed, and "states a principle and deduces consequences with clearness and simplicity." Ames even recognized that Madison's methodical oratorical style could have its advantages. Shortly after the House convened and Ames got to observe Madison's style, he noted that the Virginian's "printed speeches are more faithful than any other person's because he speaks very slow, and his discourse is strongly marked." In a political environment where "shorthand writers" lurked with other public observers in the galleries, taking down a speaker's words, speaking in a slower, more deliberate fashion made it more likely that a speaker's words would be taken down

³⁰ James Madison Papers, XV: 148-49.

accurately. Moreover, because a Madison performance did not depend on gesture or voice tone to persuade, no crucial oratorical intangible would be lost in the conversion to printed text, ensuring that the printed speech would be just as persuasive as the original performance.³¹

But Madison's performances were not usually persuasive, and Ames noted that it was his keen intellect, methodical style, and slow cadence that made his speeches tedious and uninspiring for the men before him. Though "[h]is clear perception of an argument makes him impressive, and persuasive sometimes," Ames concluded that persuading the assembly "is not his forte, however." Madison was cognizant of the importance of performance in his speeches, but seemed incapable of mustering the passion and energy his speeches sorely lacked. "He speaks low, his person is little and ordinary," Ames reported. "His language is very pure, perspicuous, and to the point." Ames concluded that he was "a little too much of a book politician, and too timid in his politics." Though he held Madison in high regard as a thinker and a leader, Madison's speech convinced Ames that "he has rather too much theory...He is also very timid, and seems evidently to want manly firmness and energy of character." During his time in the House, Ames recorded how Madison struggled throughout the years against his cerebral nature to craft a speech that would move the assembly, taking note of Madison's apparent success or failure with his peers. His speech in opposition to the bank bill in 1791, Ames thought, was "a dull piece of business" that succeeded only in boring his colleagues. Madison "read a long time out of books of debates on the Constitution when considering the several states, in order to show that the powers were to be construed." When Madison

³¹ Ames to John Lowell, May 2, 1790, in *Works of Ames*, I: 733; Ames to George Richards Minot, May 18, and May 29, 1789, in *Works of Ames*, I: 628, 637.

finished speaking, he had not only failed to convince Federalists, Ames believed he had repelled some Anti-Federalist allies as well. "The decision of the House, by a majority of thirty-nine against twenty, is a strong proof of the little impression that was made," Ames believed, "Many of the *minority* laughed at the objection deduced from the Constitution."³²

If one could say anything truly positive about Madison's speaking style, it was that it was genuine. Madison meant what he said, never tried to lead his audience astray with exaggerated claims, and was incapable of manipulating the emotions with superfluous grandiloquence. Throughout his time in national politics, Ames observed the tenor of political discourse beyond Madison, and repeatedly recorded his amazement at the level of emotional, violent, and foolish arguments that too often characterized House debate. The debate over the slave trade, he had observed in 1790, was marked by "violence, personality, low wit, violation of order, and rambling from the point." In 1791, in the midst of a debate over an apportionment proposal, he complained that "the spirit of debate bears no proportion to the objects of debate," lamenting sarcastically that debate over such a "pacific" issue had become heated, uncivilized, and downright foolish. "We heard...about republicanism, and aristocracy, and corruption, and the sense of the people, and the amendments, and indeed so much good stuff, that I almost wonder it did not hold out longer."33 Republicans seemed particularly fond of this elocutionary technique, as "[w]e hear, incessantly, from the old foes of the Constitution 'this is

³² Ames to George Richards Minot, May 3, May 18, and May 29, 1789; and February 17, 1791 in *Works of Ames*, I: 569, 628, 637-38 and II: 863-64.

 $^{^{33}}$ Ames to George Richards Minot, March 23, 1790 and November 30, 1791, in *Works of Ames*, I: 130, and II: 878-79.

unconstitutional, and that is;' and indeed, what is not? I scarce know a point which has not produced this cry, not excepting a motion for adjourning." Ames's scrutiny could and often did focus on individuals who were particularly offensive. In 1790 he complained in a letter to Thomas Dwight that though Dwight was not in New York, James Jackson of Georgia had "made a speech, which I will not say was loud enough for you to hear. It disturbed the Senate, however; and to keep out the din, they put down their windows." During the Jay Treaty debate, Virginia Republican William Branch Giles demonstrated "no scruples, and certainly less sense." Giles went "into a rambling debate, exciting the passions against this and that article of the treaty." 34

Ames, once again, was not alone in his assessment. Other political leaders, including Giles, whose own biographer called a "vigorous, erratic, and often uncharitable debater," remarked as well about "the style of eloquence that has lately been introduced into this place," and "was sorry to say...that there was at least as much irritation as deliberate judgment." Jackson's reputation as an excessively boisterous speaker was well-known. When William Loughton Smith lamented that John Francis Mercer, "a new orator in the House," was "louder than Jackson," his remark needed no further explanation.³⁵

This jarring rhetoric troubled Ames far more than Madison's dull and tedious

³⁴ Ames to George Richards Minot, March 23, 1790 and March 8, 1792, in *Works of Ames*, I: 730 and II: 938; Ames to Thomas Dwight and Ames to Christopher Gore, July 29, 1790 and March 11 and 12, 1796, in *Works of Ames*, I: 835 and II: 1138-39.

Dice Robins Anderson, *William Branch Giles: A Biography* (Menasha, Wisconsin: George Banta Publishing, 1914), 16-17; *The Massachusetts Mercury*, Dec. 5-Dec. 9, 1794; Smith to Edward Routledge, March 24, 1792, in Freeman, *Affairs of Honor*, 300-301, note 26.

speeches, which at worst were simply boring and unconvincing, because of what it implied about the speaker's choice of audience. Eloquent speech required both passion and reason in a delicate balance. Both naked enthusiasm and passionless deliberation reduced the pace of debate to a crawl, which irritated members to no end, but whereas Madison's bookishness simply lacked the passion to move the heart, the endless "rambling" harangues of his colleagues seemed to indicate a desire to circumvent the assembly members' ability to check their passion with reason, and compel them to dismiss reasoned argument in the heat of the moment on the basis of feeling alone. One could not help but wonder who, exactly, a speaker who employed such tactics hoped to convince: an assembly of educated leaders who would not likely be swayed by such tactics, or the emotional and potentially violent masses, who were more likely to be persuaded by weak or misleading argument, particularly if it came wrapped in flourishing gestures and pretty words. Given that inside the assembly speakers were judged as much by how they spoke as what they said, and that they so keenly feared the usurpation and distortion of their words by the press outside the House chamber, it seemed unconscionable to Ames that elite national leaders would willingly concede the wise and reasoned debate that was integral to eloquence in favor of adversarial and ostentatious argument for the purpose of appealing to the masses. And yet, as the controversy over Jay's Treaty reached its peak intensity. Ames could only conclude that that was precisely the choice many of his colleagues had made.

CHAPTER 2

THE JAY TREATY AND THE INNER AUDIENCE

In March, 1794, news of British capture of American merchant vessels sent many Americans into a panic. The possibility of an impending war with either of the feuding nations of England or France was a frightening thought, given the United States' current position of neutrality, the comparatively modest size of its forces, and its continued recovery from the Revolution. Washington named John Jay a special ambassador to Great Britain to broker a treaty between England and the United States. Shortly after his departure, despite considering Jay's abilities as a negotiator average at best, Republicans began to remark about the "easy task" their ambassador faced, thanks to the "Bankruptcy, Humility, and disgrace," in the words of Josiah Parker, resulting from the war with France, which left England all but powerless at the negotiating table. Parker concluded that "if we do not get all we ask it must be the fault of our Negotiator at the court of London." James Madison agreed. "It is expected," he believed, "that he will accomplish much if not all he aims at." 36

Ames was suspicious of such comments. It was not reasonable to expect a man charged with negotiating a treaty of this magnitude to get *everything* he wanted, and the task before Jay would certainly not be easy. Ames believed Republicans were gearing up

³⁶ Elkins and McKitrick, *The Age of Federalism*, 415-422; Combs, *The Jay Treaty*, 159-63.

to preemptively reject the treaty in both Congress and the public eye, and he dreaded what would happen once the treaty was made public. He wrote to Thomas Dwight that he expected print, particularly newspapers, to be the primary medium Republicans would use, going so far as to single out Benjamin Franklin Bache's *Aurora General Advertiser* as the paper that would catalyze public rejection of Jay's treaty. "I see a little cloud, as big as a man's hand, in Bache's paper, that indicates a storm." He made two predictions regarding the message these newspapers would spread, discerned from what Republicans were already saying in the halls of Congress. "First, before the event is known," his Republican colleagues would "raise the expectations of the public, that we have everything granted, and nothing given in return; and secondly, that the treaty, when published, has surrendered everything." As time passed and anxiety over the treaty intensified, the first prediction appeared to be already coming to fruition. It would not be long before the finalized treaty found its way into the hands of the press, and the second would be realized.

In July, 1795, a special session of the Senate convened to consider the finalized treaty, and despite successful passage by Federalists to keep their deliberations secret, the terms of the treaty quickly found their way into local newspapers. Though the Senate ratified it by the year's end, the deliberation process resulted in more headaches for Ames and his allies. The terms of the treaty left much to be desired. The United States' trading rights to India and the British West Indies were severely restricted. The U.S. also had to submit to a commission that would decide maritime disputes. Perhaps worst of all, the treaty remained silent on the issue of British impressments of merchant vessels and

³⁷ Ames to Thomas Dwight, February 3, 1795, in *Works of Ames*, II: 1101-02; Pasley, 'The Tyranny of Printers,' 91-94.

American sailors, the very issue that had sent many Americans into a frenzy and necessitated the treaty's brokerage in the first place. True to Ames's prediction, Bache's *Aurora* was one of the first to publish the treaty, and its editor soon organized and spearheaded the "storm" that united political figures, newspaper editors, and much of the general public against the treaty. Everything about the treaty was ripe for attack, right down to the Federalists' insistence on secrecy. "No doubt that the treaty will be unacceptable to the public," one newspaper editor wrote, "for if it would prove agreeable to them, it would not be concealed." In addition to newspaper essays and other written materials, public demonstrations, many of them intense and even violent, ensued around the country. Federalists attempted to marshal support for the treaty anywhere they could, but they often encountered more hostile detractors than allies, as was the case in New York, where protestors threw rocks at speakers, one of which struck Alexander Hamilton in the head.³⁸

Mobbish panic and violence was not limited to crowds on the street; it was also conspicuous in organized public assemblies, and to Ames, what was worse was that many who opposed the treaty seemed to be shamelessly cultivating such behavior. "I am sorry to perceive that Boston is in a very inflammatory state," he wrote to Oliver Wolcott shortly after the Senate began its deliberations and the treaty's terms had become fodder for public scrutiny.

I was there two days ago, and I learnt that the Jacobins have been successful in prejudicing the multitude against the treaty. What is more to be lamented, almost

³⁸ Elkins and McKitrick, *The Age of Federalism*, 415-422; Pasley, '*The Tyranny of Printers*,' Chapter 4, esp. 91-93; *Argus and Greenleaf's New Daily Advertiser* (New York), June 24, 1795. For more on the treaty and the public reaction, see Combs, *The Jay Treaty*, 159-63; and Estes, "The Most Bewitching Piece of Parliamentary Oratory."

all the merchants and steady men are said to feel the prevailing fever... A town-meeting is expected, and if it should be convened, I expect its proceedings will be marked with folly and violence... The Jacobins... have the possession of the ground, and they will not fail to fortify themselves in their acquisition. The country is yet perfectly calm, but pains will be taken to inflame it. ³⁹

Ames felt politically powerless as he listened to the debates in the months following his return to the House, still battling the illness that had rendered him a near invalid in his home in Dedham. Still weak and under his doctor's orders not to participate in the debate, he was a helpless bystander amid the constant bickering and squabbling that had come to characterize the tenor of House debate. Republican speeches painted fantastic and terrifying pictures of a future under the Jay Treaty, alleging that it would surrender both commercial and military power to England, leaving the United States economically impotent and militarily defenseless. The agreement granted Great Britain too much power, they chorused, and in the wake of its passage, the United States would see either a usurpation of its autonomy either at the hands of the British army or a President who would cite the treaty's terms as justification to exceed his Constitutional authority. Under the treaty, William B. Giles argued, "commerce shall not be regulated," "property shall not be sequestrated," and "piracies shall be judged as [the President] thinks fit." "[I]f he is to exercise the ultimate Treaty-making power contended for," he asked, "what security have we that he may not go further with Great Britain? What security have we that he will not agree with Great Britain, that if she will keep up an Army of ten thousand men in Canada, he will do the same here?" "While professing, as the Treaty does, that there were important parts of our commerce left for future negotiation, why bind us to continue to Great Britain the fullest share of our commercial

³⁹ Ames to Oliver Wolcott, July 9, 1795, in Works of Ames, II: 1107-08.

privileges?" Virginia Republican John Nicholas asked. The United States possessed few "weapons," either commercial or military, "that can reach Great Britain, and I greatly fear that, when this is lost, we are completely disarmed." Federalists retorted that such objections were not only exaggerated, but also moot because the House had no Constitutional right to reject a treaty that had already been agreed to by the President and ratified by the Senate. William Vans Murray made the argument, seconded immediately by Daniel Buck, that the treaty "has been issued, by the President's proclamation, as an act obligatory upon the United States... If the President... has the power, with the consent of the two-thirds of the Senate, to ratify a Treaty, the House has no right to investigate the merits of the Treaty, unless they have a right to reject it." "40"

Ironically, one of the few things both sides could agree on was that the initial public reaction to the treaty had been premature and overblown, and borne more out of "sophistry and zeal for the instrument than a wish to discover truth, or a design to enlighten the people of the United States," as Virginia Republican John Nicholas put it. Speakers repeatedly resolved to disable their emotions and become "dispassionate observers," who would "pause, and consider" every aspect of the treaty before judging. They vowed that emotion, which had fueled the violent public reaction to the treaty, would not triumph in House deliberations. "[A]ppeals to fears and panics" were "made for the want of solid argument," Massachusetts Republican Samuel Lyman conceded, but they were antithetical to the task of evaluating the treaty in a deliberate and responsible manner. He boasted that his own emotions "would never be so operated upon, as to

⁴⁰ Annals of Congress, 4th Congress, 1st Session, (March 7, 1795, and March 11 and April 16, 1796), 429-30, 512, 1015.

overwhelm his judgment, and that all attempts of that sort would be without the least effect." "Zeal or enthusiasm," Federalist colleague William Lyman proclaimed, "is as contagious as the small-pox, or any cutaneous disease." 41

Ames could hardly stomach the scene. House members appeared to be doing precisely what they pledged they would not do, turning what was supposed to be a spirited but reasoned debate into an irrational fight that seemed to favor volume over intelligence, all the while denying their own emotional involvement and losing sight of the changing tenor of public opinion outside the assembly. "I sit now in the House, and, that I may not lose my temper and my spirits, I shut my ears against the sophisms and rant against the treaty," he wrote to Thomas Dwight. "Never was a time when I so much desired the full use of my faculties, and it is the very moment when I am prohibited even attention. To be silent, neutral, useless, is a situation not to be envied." Convinced that a speech was the only way to reach his colleagues before their "sophisms and rant" killed any hope of its passage, Ames rose, determined to speak despite his weakened and ill state, and delivered one last plea of support to his colleagues in the House.

Ames began and concluded his speech by highlighting his illness, a technique reminiscent of George Washington's speech before a gathering of revolutionary army veterans in 1783, and John Hancock's speech before the Massachusetts Ratifying convention in 1788. In those speeches, Washington and Hancock had both affected their listeners' hearts by calling attention to a sickness or ailment that impaired their abilities, Hancock claiming he was prevented offering his opinion on the proposed constitution

⁴¹ Ibid., (March 11, March 16, and April 15, 1796), 512, 601-02, 989, 991.

⁴² Ames to Thomas Dwight, March 9, 1796, in Works of Ames, II: 1136.

because of an illness, which he overcame at a key moment in the proceedings, and Washington noting to an audience of fellow soldiers that his old age had rendered him near "blind" and required him to wear spectacles to read to them a letter from a congressman. To begin his speech, Ames expressed "the hope, perhaps a rash one, that my strength will hold me out to speak a few minutes." Ames drew his oration to a close by noting that "[t]hose who see me will believe that the reduced state of my health has unfitted me, almost equally, for such exertion of mind and body," simultaneously underscoring the treaty's tremendous impact on the future of the nation and his considerable resolve to speak on its behalf. "There is... no member who will not think his chance to be a witness of the consequences greater than mine. If, however, the vote should pass to reject, and a spirit should rise, as it will with the public disorders to make confusion worse confounded, even I, slender and almost broken as my hold upon life is, may outlive the government and Constitution of my country."⁴³

Perhaps what is most striking (and perplexing) about Ames's speech in support of the Jay Treaty is that it only addresses the specifics of the treaty tangentially, and appears (at least at first glance) to discuss the political discourse surrounding the treaty in a way that appears contradictory to its author's staunchly Federalist political philosophy. Ames

Ames, "Speech on the Jay Treaty," hereafter cited as "Speech," in Works of Ames, II: 1143, 1181-82; William Safire, Lend Me Your Ears: Great Speeches in History (New York: W. W. Norton, 2004), 103-06. By offering himself as a personification of the weak and vulnerable young nation, Gustafson argues, Ames cloaked himself in what she calls "the authenticity of the public voice," which "encouraged a passionate immersion into the particular human realities which gave substance to the debate in the House." See Gustafson, Eloquence is Power, 244. Ames also mentioned his declining health in the middle of his speech as well, noting as he addressed the degree to which a treaty with Great Britain binds the people of the American nation, that "I have not had the health to make very laborious researches into this subject." Ames, "Speech," 1166.

began his speech by describing the tenor of political debate in the House. National leaders were familiar with the violent and hostile public demonstrations against the treaty, and had sworn repeatedly in the House that the passions would play no part in their deliberations. Ames issued a stern warning against attempting to eliminate the passions from the debate. "Let us not affect to deny the existence and the intrusion of some portion of prejudice and feeling into the debate," he said, "when, from the very structure of our nature, we ought to anticipate the circumstance is a probability, and when we are admonished by the evidence of our senses that it is a fact." It was not reasonable that members of the House should expect to be completely objective and free from emotion, for "[w]e are men, and, therefore, not exempt from those passions; as citizens and Representatives, we feel the interest that must excite them. The hazard of great interests cannot fail to agitate strong passions: we are not disinterested, it is impossible we should be dispassionate." Not only was it impossible to purge the human heart of all passion, Ames continued, it was undesirable for the purpose of political discourse, for "[t]he only constant agents in political affairs are the passions of men." The passions were a natural part of politics because they were a natural part of man. "Shall we say that man ought to have been made otherwise?" he asked the House. "It is right already, because He, from whom we derive our nature, ordained it so; and because thus made, and thus acting, the cause of truth and the public good is the more surely promoted." For evidence of this, Ames stated, Representatives needed to look no further than the people they represented. Though "[t]he public attention has been quickened to mark the progress of the discussion," and that its opinion about the treaty had been no doubt influenced by the zeal and emotion the significance of the treaty's fate had caused, he

declared that "its judgment, often hasty and erroneous on first impressions, has become solid and enlightened at last." 44

Given what is known about Ames and what has been argued about the relationship between elected leaders and the public, scholars have reason to be thrown by his speech. Why would an elitist like Ames, who feared the power of the emotional and overzealous public and the threat it posed to the rational discourse of national politicians, choose to praise the passions as a necessary component to political discourse and single out the masses as an example for the House to follow? Where are the descriptions of the "licentious and mobbish" masses, who lacked "nine-tenths of the good sense there is" and who needed the steady guidance of their betters to lead with the reason and refinement they lacked? Where is the fear and distrust of the public passions that necessitated republican government in the first place? To whom is Ames speaking, exactly, and what is he saying?

In the process of trying to answer these important questions, scholars have typically used Ames's speaking style as their starting point. Despite an abundance of general descriptions from contemporaries attesting to Ames's elocutionary greatness, few give any useful specifics about the way he spoke or the techniques he used.

Nevertheless, scholars argue that the source of Ames's eloquence was his ability to effectively speak the universal language of the passions, to wield what Gustafson calls his "form of representative speech intended to clarify and enlarge the popular voice" to manipulate his audience to do his will. In this regard, scholars agree, the Jay Treaty Speech was vintage Ames, a successful attempt by "the wiliest demagogue in the House."

⁴⁴ Ames, "Speech," 1144-45.

to encourage his colleagues to decide the treaty's fate based on emotion. By wielding his elocutionary power before his colleagues, by praising the public and encouraging his peers to decide the matter as the general populace had, Ames, according to Ferrell, "enlivened the debate by adding the element of human passion." Gustafson puts it more bluntly: "The emotional manipulation intrinsic to his endeavor was neither subtle nor disguised," she writes. "Ames frankly performed the operations of emotional stimulation and control on his audience" and in so doing, compelled them to approve Jay's Treaty. 45 Ames's speeches did, no doubt, employ techniques of performance that heightened the effectiveness of his words, but there are two problems with this characterization that call its accuracy into question, at least with regard to Ames's greatest speech. For one thing, moving the passions through bold, extemporaneous performance requires a great sum of energy, something Ames was sorely lacking when he rose to deliver his speech in support of Jay's Treaty. He was visibly ill, described by observers as "a mere ghost" in the months prior to his oration, and thus was likely not the lively, captivating demagogue scholars envision. More importantly, Ames was unambiguous about his distrust of the masses, and his distaste for manipulative demagogues who wielded power by controlling the emotions of the public. It makes little sense to think that a man who so feared the influence of the public would adopt a speaking style that appealed to the very thing he detested. 46 Ultimately, scholars are forced to gloss over these considerations, or throw up

⁴⁵ Elkins and McKitrick, *The Age of Federalism*, 448; Farrell, "Fisher Ames and Political Judgment," 431; Gustafson, *Eloquence is Power*, 244.

⁴⁶ For descriptions of the "ghostly" Ames, see Bernhard, *Fisher Ames*, 252, 264; In addition to previously cited letters and essays regarding Ames's opinion of the public and demagogues, see also his 1805 essay *The Mire of a Democracy*, in *Works of Ames*, I: 3-7.

their hands and concede that the contradiction cannot be reconciled. We can never completely know why Ames was compelled to craft his speech the way he did, but if we view the Jay Treaty Speech with an eye toward the divide that existed between the different audiences speakers faced, and the ways in which politicians used speech and print in distinct ways to reach these audiences, we will be able to view more completely one of the great orators in American history, and understand more clearly the significance of his greatest work.

Ames's appreciation for the power of public opinion even in the months prior to his speech is not lost on scholars. Todd Estes notes that Ames recognized that swaying public opinion would be crucial to ensuring the treaty's approval in the House, and that he believed the most effective way to combat the public's "profound ignorance" of the treaty was through publication of "temperance and masterly vindications of the treaty" either "in gazettes" or "[b]etter, if in a pamphlet." Ames spearheaded a nearly year-long Federalist campaign that utilized public letters, essays, and pamphlets to sway the minds of Americans. Among the most prolific writers in support of the treaty were "Camillus," a pseudonym shared by Alexander Hamilton and Rufus King, and "Curtius," the pen name of Noah Webster. Their tactic was to offset the overwhelming criticism of the treaty detractors by acknowledging the treaty's imperfections but downplaying them in favor of its strengths. Their writings, like his Jay Treaty speech, described in detail the importance of public opinion in the treaty debate, the effects rejection of the treaty would have upon American commerce, and the threat of war from aggressive Indian tribes. By the time of Ames's speech in April, 1796, he and many Federalists believed that their words of support for the treaty echoed the public will they had worked so hard to

cultivate.47

But Ames also believed that his colleagues would not likely be convinced by mere words on a page. He repeated the themes Federalists had emphasized in their print campaign, and made sure to underscore the divide between the public outside the House chambers and the inner audience before him. The language of his speech, right down to his use of pronouns like "we," "they," and "us," make it clear that though he was advocating on behalf of what he believed to be in the best interests of the nation, he was addressing the inner audience of House members, who alone would decide the treaty's fate with their voices and their votes. The House could only legitimately justify rejection of the treaty if "two rules which ought to guide us in this case" were met, he believed. First, "[t]he Treaty must appear to be bad, not merely in the petty details, but in its character, principle, and mass. And, in the next place, this ought to be ascertained by the decided and general concurrence of the enlightened public." As he discussed both the issues of commerce and the potential of war with England, issues repeatedly brought up as the most glaring weaknesses of the treaty, he argued that when it came to commercial concerns, the people who make their livelihood through commerce and trade were the best judges of the treaty's merit on this issue. He asked his colleagues: "What has blinded the eyes of the merchants and traders? Surely they are not enemies of trade, or ignorant of their own interests... They wait with anxious fear lest you should annul that contract, on which all hopes are rested."48

⁴⁷ Ames to Wolcott, July 9, 1795, in *Works of Ames*, II: 1108; Estes, "The Most Bewitching Piece of Parliamentary Oratory."

⁴⁸ Ames, "Speech," 1152, 1156.

For the length of his political career, Ames had never kept secret his opinion that the public was too inherently emotional and overzealous to be left to its own devices. It is tempting, therefore, to ignore these statements which appear to contradict his brand of conservative Federalism, or to conclude that he was simply attempting to manipulate the passions of his colleagues by encouraging them to adopt the public's passionate nature. But Ames had not forsaken his own Federalist ideology, and if we read on carefully, Ames explains his perplexing opening praise of the passions and the public.

Though he understood the role public opinion played in shaping national political discourse, Ames still held fast to the belief that effective governance began with elected leaders themselves. The public was in need of guidance from political leaders who could lead with both passion and reason, and it was in this important task that the House was failing. Rather than provide legitimate reasons for rejecting the treaty that demonstrated careful reflection upon its merits as well as its drawbacks, critics in the House seemed content to reject the treaty based on preconceived beliefs and arguments based on emotion rather than fact. "No government, not even a despotism, will break its faith without some pretext," Ames warned the House. If the House was going to reject the treaty, he reminded his colleagues, its reason "must be plausible." As the leaders of the nation, their decision "must be such as will carry the public opinion along with it," for if the public was not convinced their elected leaders were acting in the best interest of the nation, more violence and chaos would ensue. Making decisions for the good of the nation, and articulating the rationale behind those reasons in a way that made the public confident enough in the government to trust its judgment, was the responsibility of every national leader. A government that that did not fulfill this obligation was "the corrupter

of its citizens." "Will the laws continue to prevail in the hearts of the people when the respect that gives them efficacy is withdrawn from the legislators? How shall we punish vice while we practise it?" Ames asked.

We have not force, and vain will be our reliance when we have forfeited the resources of opinion. To weaken government and to corrupt morals, are effects of a breach of faith not to be prevented—and from effects they become causes, producing, with augmenting activity, more disorder and more corruption; order will be disturbed, and the life of the public liberty shortened.⁴⁹

How had the House faltered so severely in its obligation to its citizens? Not only had its members seemed all too willing to ignore reason in favor of emotional bellowing and bickering, Ames argued, they insisted all the while that passion played no part in their deliberations at all. "Our understandings have been addressed, it is true, and with ability and effect," he conceded,

but, I demand, has any corner of the heart been left unexplored? It has been ransacked to find auxiliary arguments, and, when that attempt failed, to awaken the sensibilities that would require none. Every prejudice and feeling have been summoned to listen to some particular style of address and yet we seem to believe, and to consider a doubt as an affront, that we are strangers to any influence but that of unbiased reason.

Opponents in the House who claimed their arguments reflected the will of their constituents continued to describe in detail the fate of the nation should the treaty pass. Their descriptions were vivid in detail and apocalyptic in scope, but Ames argued that they seldom demonstrated a close reading of the treaty, and seemed only to serve as a means for opponents to inflame the House and attempt to marshal public support back to their side. "We hear it said that this is a struggle for liberty, a manly resistance against the design to nullify this assembly, and to make it a cipher in the government," Ames said. "That the President and the Senate, the numerous meetings in the cities, and the

⁴⁹ Ibid., 1155-56.

influence of the general alarm of the country, are the agents and instruments of a scheme of coercion and terror, to force the Treaty down our throats, though we loathe it, and in spite of the clearest convictions of duty and conscience." Such contentions served only to "oppose an obstacle to the path of inquiry, not simply discouraging, but absolutely insurmountable. They will not yield to argument; for, as they were not reasoned up, they cannot be reasoned down." ⁵⁰

Ames pursued this theme further. As long as passion dominated debate, "all argument is useless... The ears may be open, but the mind will remain locked up, and every pass to the understanding guarded." By denying that the emotions would have any influence on the treaty debate, national leaders had allowed the debate to deteriorate into an orgy of wild accusations and enthusiastic rhetoric that was more reminiscent of the masses than an assembly of elected leaders. What's more, they had infected the public with their panic and overzealousness. "The Treaty-alarm," Ames argued, "was purely an address to the imagination and prejudices of the citizens, and not on that account the less formidable. Objections that proceed upon error, in fact or calculation, may be traced and exposed. But such as are drawn from the imagination, or addressed to it, elude definition, and return to domineer over the mind, after having been banished from it by truth." Like a wildfire, "[t]he alarm spread faster than the publication of the treaty," engulfing the populace with anticipatory hostility and unfounded suspicions until "[t]here were more critics than readers." And though the Federalist campaign on the treaty's behalf had allayed many of the public's fears about the treaty, the assembly of men who would cast their votes still harbored this alarm, and still allowed it to dictate the tenor of their debate.

⁵⁰ Ibid., 1144-46.

"It is my right to avow that passions so impetuous, enthusiasm so wild, could not subsist without disturbing the sober exercise of reason, without putting at risk the peace and precious interests of our country." He pleaded with his colleagues to "see the subject once more in its singleness and simplicity" not by jettisoning reason in favor of emotion, but to by recognizing "that it is barely possible they have yielded too suddenly to their alarms for the powers of this House; that the addresses which have been made with such variety of forms, and with so great dexterity in some of them, to all that is prejudice and passion in the heart, are either the effects or the instruments of artifice and deception." 51

As surprising as these arguments may seem today, it no doubt surprised his colleagues in the House even more. Fisher Ames, widely known for his insistence that the public's "licentious and mobbish" nature and its lack of "nine-tenths of the good sense there is" necessitated governance by refined and rational political leaders, now argued that the source of the "treaty alarm" that hampered debate was not the public but the very Representatives before him, and that the only way for the House to view the treaty "in its singleness and simplicity" was to recognize that the passions were a necessary part of political debate and more willingly consider the treaty's strengths as well as its weaknesses, as the American people had. We can imagine House members listening intently to his speech, shifting nervously in their seats, flabbergasted by the indictments being levied against them, their shock only exacerbated by the fact that it was Ames articulating them.

But Ames assured his listeners that all was not lost. After all, public opinion had shifted gradually, and only as a result of the intense print campaign initiated by

⁵¹ Ibid., 1147-48; 1154, 1157-58.

Federalists. What separated elected leaders from the public was not their lack of emotion, but their ability to acknowledge the role the passions played in debate and to check their emotions with reason. Ames was confident, therefore, that though "[t]he language of passion and exaggeration may silence that of sober reason in other places, it has not done it here." 52

Appealing to "the magnanimity and candor of those who hear me," Ames expended what little energy he retained by using vivid, dramatic language to make his case on behalf of the treaty. As it was imperative not to deny the place of the passions in the treaty debate, he believed it nonetheless behooved the House, "[b]efore we resolve to leap into this abyss," to "pause and reflect upon such of the dangers that are obvious and inevitable."⁵³ Renewing his assertion that the treaty was vital for American commerce, Ames focused on the affect its rejection would have on the families of American merchants. "Five millions of dollars, and probably more, on the score of spoliations committed on our commerce, depend upon the Treaty. The Treaty offers the only prospect of indemnity. Such redress is promised as the merchants place some confidence in. Will you interpose and frustrate that hope, leaving to many families nothing but beggary and despair?" Ames asked. "It takes less than half an hour to call the yeas and nays, and reject the Treaty. But what is the effect of it? What, but this: the very men, formerly so loud for redress...now turn their capricious fury upon the sufferers, and say, by their vote, to them and their families, "No longer eat bread! Petitioners, go home and

⁵² Ibid., 1152.

⁵³ Ibid., 1162.

starve; we cannot satisfy your wrongs and our resentments!"⁵⁴ But even more vulnerable to harm were settlers on the frontier, as rejection of the treaty would mean the loss of the western military posts, which settlers relied upon to protect them against Indian attacks.

Ames's dramatic description of the bloodshed they would suffer at the hands of aggressive Indian tribes is worth quoting in full:

If any...should maintain that the peace with the Indians will be stable without the posts, to them I will urge another reply. From arguments calculated to produce conviction, I will appeal directly to the hearts of those who hear me, and ask whether it is not already planted there? I resort especially to the convictions of the Western gentlemen, whether, supposing no posts and no treaty, the settlers will remain in security? Can they take it upon them to say that an Indian peace, under these circumstances, will prove firm? No, sir, it will not be peace, but a sword; it will be no better than a lure to draw victims within the reach of the tomahawk.

On this theme, my emotions are unutterable. If I could find words for them—if my powers bore any proportion to my zeal—I would swell my voice to such a note of remonstrance it should reach every log-house beyond the mountains. I would say to the inhabitants, Wake from your false security! Your cruel dangers—your more cruel apprehensions—are soon to be renewed; the wounds, yet unhealed, are to be torn open again. In the day time, your path through the woods will be ambushed; the darkness of midnight will glitter with the blaze of your dwellings. You are a father: the blood of your sons shall fatten your corn-field! You are a mother: the war-whoop shall wake the sleep of the cradle!

Drawing his speech to a close, he argued that far more danger lurked in the "abyss" of uncertainty that surrounded the nation's future if the treaty were rejected, and urged his colleagues to "not hesitate, then, to agree to the appropriation to carry it into faithful execution."

Considering his oration with an understanding of how the divide between political leaders and the general public shaped political discourse, we can gain new insight into

⁵⁴ Ibid., 1172.

⁵⁵ Ibid., 1174-75, 1181.

Ames and his historic speech. Despite the success of treaty supporters to enlighten the public about Jay's Treaty, the House was still tangled in the "sophisms and rant" that were borne out of a desire to incite further animosity toward the treaty while its members denied they harbored any passions at all. Far from a manipulative demagogue looking to inflame the House with emotion, Ames's plea on behalf of Jay's Treaty reveals a speaker who understood the divide between public and political audiences, and who attempted to save the House from the emotion its members had allowed to overtake the treaty debate. The message of the speech is clear: what should have been a genuinely impassioned and informed discussion between political leaders had become an argument ungoverned by reason and ruled by a zeal to control public opinion, but in their haste to rekindle popular outrage against the treaty, it seemed treaty opponents had lost touch with the public they hoped to convince, as well as the audience of colleagues they needed to persuade.

After nearly an hour, an exhausted Ames yielded the floor, and responses immediately followed. John Adams wrote to his wife "Our feelings beat in unison," and noted that Supreme Court Justice James Iredell, seated beside him, simply said "My God! How great he is!" Jonathan Dayton, Speaker of the House and consistent opponent of the treaty, declared that he would be voting in its favor. Ames' friend Jeremiah Smith had evaluated his speech by telling him that he "ought to have died in the fifth act; that he never will have an occasion so glorious, having lost this he will now be obliged to make his exit like other men." Some Federalists moved for an immediate vote, only to have their call postponed by Republicans, who no doubt feared just how influential Ames's performance had been. ⁵⁶ Though scholars maintain that the extent to which Ames's

⁵⁶ Bernhard, Fisher Ames, 272-274; Estes, "The Most Bewitching Piece of

speech affected the final vote is a matter of debate, even those critical of the speech offered no argument that it would be insignificant. The Boston *Independent Chronicle* wrote that Ames "let loose his imagination... and his mind enfeebled by disease, shrunk from the mighty monster which Great Britain presented to his affrighted view," and feared his speech was "little short of a declaration of the surrender of our sovereignty and independence and that we must hereafter depend on the mercy of [Britain]." Though Albert Gallatin thought it "was delivered in reference to the expediency of making the appropriations, and treated but incidentally of the constitutional question," he could not deny that it was "the most brilliant and eloquent speech" of the debate, and that its author's place as the most gifted orator in Congress was assured. "I may here say that though there were, during my six years of Congressional service, many clever men in the Federal party in the House (Griswold, Bayerd, Harper, Otis, Smith of South Carolina, Dana, Tracy, Hillhouse, Sitgreaves, etc.) I met with but two superior men. Ames...and John Marshall." ⁵⁷

The next day, the House voted to uphold the treaty, fifty-one to forty-eight, and though pleased with the result, Ames's failing health prevented him from running for reelection. He practiced law for a time in his remaining years, wrote letters to close friends and published a number of essays, and was even offered the presidency of Harvard College, a position he declined. Though he died in 1808, he would be remembered throughout the nineteenth century as future generations of politicians, including Abraham Lincoln and Daniel Webster, read his famous speech in their youth and learned of his

Parliamentary Oratory," 20-21.

⁵⁷ Bernhard, Fisher Ames, 273.

exploits in the House. Ames's abilities as an orator spoke to many like John Adams, who by Ames's death was a professor of rhetoric at Harvard, as proof that, "under governments purely republican, where every citizen has a deep interest in the affairs of the nation, and, in some form of public assembly or other, has the means and opportunity of delivering his opinions, and of communicating his sentiments by speech; where government itself has no arms but those of persuasion," a new Golden Age of oratory might arise. ⁵⁸

But for those of us straining through two centuries of American history to see how the nation's first national leaders communicated, Fisher Ames takes on an added importance. His perspective not only illustrates the divide between the intimately related worlds of speech and print, it also reminds us that, though well-aware of the power the ubiquitous and unblinking public eye possessed to shape the discourse of national politics, national leaders understood that that discourse took place before an inner audience of fellow politicians, who witnessed each speaker's performance with a critical eye and ear the public could not match. We cannot legitimately claim to possess a complete understanding of the political history of the early republic until we more closely examine the divide between these audiences, and investigate how each shaped the way elected leaders communicated within the insular world of national politics.

⁵⁸ Estes, "'The Most Bewitching Piece of Parliamentary Oratory," 21; Gustafson, Eloquence is Power, xiii, 241; Carolyn Eastman, "'A Nation of Speechifiers': Oratory, Print, and the Making of a Gendered American Public, 1780-1830" (Ph.D. Diss., The Johns Hopkins University, 2001), 28-29; Edward G. Parker, *The Golden Age of American Oratory* (Boston: Whittemore, Niles, and Hall, 1857).

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