The Merry Affair: The Intersection of Etiquette, Politics, and Diplomacy in the Early Republic

Morgan Diane VanGilder Maloney
Vienna, Virginia

B.A., Washington and Lee University, 2019

A Thesis presented to the Graduate Faculty
of the University of Virginia in Candidacy for the Degree of Master of Arts

Department of History

University of Virginia
May, 2022

On the evening of December 2, 1803, President Thomas Jefferson threw a dinner party at the White House. Little did the guests of honor – Anthony Merry, the newly arrived British "Envoy Extraordinary and Minister Plenipotentiary,"[1] and his wife, Elizabeth – realize that this night would go down in the history books. The dinner's guest list included many of the prominent members of Washington diplomatic society including, to the Merrys' chagrin, the chargé d'affaires of France, Britain's current foe in the on-going Napoleonic Wars.[2] However, the real controversy began when the guests began to head into dinner. Instead of offering his hand to Elizabeth Merry as diplomatic etiquette required, the President "conducted Mrs. [Dolley] Madison to the Table and place her at his right Hand."[3] This "absolute Omission of all Distinction in [his] and Mrs. Merry's Favor" infuriated Anthony Merry.[4] As the dinner broke up, the wife of the Spanish minister, another dinner guest, whispered into Dolley Madison's ear: "This will be the cause of war."[5]

The incident did spark a war – a social war. Reading from an American perspective, most historians have primarily read this as just that, a domestic social war. While it was one, it was more than that – it was a diplomatic incident. In the following weeks and months, the scandal engulfed Washington and became a topic of trans-Atlantic discussion. In response to the ensuing controversy, Jefferson hurriedly wrote out *Canons of Etiquette,* describing a new and radical

[1] George III, King of Great Britain to Thomas Jefferson, "To Thomas Jefferson from George III, King of Great Britain, 16 September 1803," September 16, 1803, Founders Online, National Archives, https://founders.archives.gov/documents/Jefferson/01-41-02-0289.
[2] Robert R. Jr. Davis, "Pell-Mell: Jeffersonian Etiquette and Protocol," *Historian* 43, no. 4 (Fall 1981): 520.
[3] Anthony Merry, "Merry to Hawkesbury, 6 December 1803 (Separate)," December 6, 1803, F.0.-5, 41: 54-56, Great Britain, Foreign Office, https://dds-crl-edu.proxy01.its.virginia.edu/item/423407.
[4] Merry, 6.
[5] Benjamin Ogle Tayloe, *In Memoriam: Benjamin Ogle Tayloe* (Sherman & Company, printers, 1872), 137, https://tinyurl.com/mu6k8zay.

form of American etiquette which he dubbed "pêle mêle."[6] As he described, he hoped his new etiquette would "give force to the principle of equality, or pêle mêle, & prevent the growth of precedence out of courtesy."[7] Jefferson's creation of a uniquely American and democratic form of etiquette marked an important step forward in the United States' quest for sovereignty and equality with the nations of Europe.

Introduction

Jefferson never explicitly stated what he hoped to achieve by adopting pêle mêle and his contemporaries put forth various rationales. One newspaper writer attributed his actions to some combination of "pride, whim, weakness and malignant revenge."[8] Then-Secretary of State James Madison, however, insisted that pêle mêle was about efficiency and its goal was to "unfetter social intercourse" and remove "ceremonious clogs" from public business.[9] For his part, the French chargé d'affaires Louis André Pichon believed Jefferson's motivations stemmed purely from domestic politics, rather than any grander foreign policy strategy. Pichon wrote that Jefferson was willing "to sacrifice everything for the sake of his [domestic] popularity."[10] While these explanations may all, to some extent be true, this essay will argue that Jefferson hoped pêle mêle would ensure American sovereignty and democratize the law of nations.

This essay will begin by situating the Merry Affair, as the controversy came to be known, within the larger geopolitical context of the time including exploring the importance of etiquette in European diplomacy and etiquette's role in reinforcing and articulating a hierarchy of European states. It will then discuss the Affair itself in detail, including both the domestic and

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[6] Thomas Jefferson, "II. Canons of Etiquette, 12 January 1804," January 12, 1804, https://founders.archives.gov/documents/Jefferson/01-42-02-0143-0003.
[7] Jefferson.
[8] "Extract of a Letter from a Gentleman at Washington, Dated 2d January, 1804," *New-York Herald*, January 21, 1804, America's Historical Newspapers.
[9] James Madison to Rufus King, "From James Madison to Rufus King, 18 December 1803," December 18, 1803, Founders Online, National Archives, https://founders.archives.gov/documents/Madison/02-06-02-0185.
[10] Davis, "Pell-Mell," 528.

international fall-outs. Finally, it will seek to understand Jefferson's goals. It will argue that Jefferson hoped to assert American sovereignty by demanding an equal position in the European community of nations for the new republic. By doing so, Jefferson attempted to radically democratize the law of nations and ensure true equality among sovereign states.

The Merry Affair has long been a subject of historical interest but no recent study of it has focused solely on the Affair nor has any put forth a coherent and plausible explanation of all of Thomas Jefferson's goals.[11] This essay will use the Merry Affair to bridge the divide between American gender and social history, which has discussed the Affair,[12] and the study of Early Republic politics, diplomacy, and the law of nations, which has largely ignored it. This essay will view the Merry Affair and Jefferson's *Canons of Etiquette* as a form of statecraft and deliberate diplomatic policy. Building on the recent work of American legal and political historians, it will explore the importance of the law of nations in the development of early American foreign policy[13] and the young Republic's prolonged quest for sovereignty.[14] These works, however, have yet to explore etiquette as a quasi-legal and important form of diplomatic expression. While studies of American domestic politics have increasingly taken into account the

[11] Robert Davis's work from 1981 is a valiant effort and the author is indebted to his work, especially on his gathering of the primary sources regarding the Affair. However, his forty year old paper does not take into account the recent and ground breaking scholarship on European early modern diplomacy and sovereignty on which this paper relies. Davis, "Pell-Mell."

[12] American gender and social historians, especially Catherine Allgor, have breathed new life into the Merry Affair and have explored it importance from a domestic social and gendered perspective. However, these studies have yet to push the Affair beyond the national context. Catherine Allgor, *Parlor Politics: In Which the Ladies of Washington Help Build a City and a Government*, Jeffersonian America (Charlottesville: University Press of Virginia, 2000).

[13] David Golove and Daniel Hulsebosch have pioneered this movement among legal historians. David M. Golove and Daniel J. Hulsebosch, "A Civilized Nation: The Early American Constitution, the Law of Nations, and the Pursuit of International Recognition," *New York University Law Review* 85, no. 4 (2010): 932–1066; Daniel J. Hulsebosch, "Being Seen Like a State: How Americans (and Britons) Built the Constitutional Infrastructure of a Developing Nation," *William & Mary Law Review* 59, no. 4 (April 2018): 1239–1319; David M. Golove and Daniel J. Hulsebosch, "The Law of Nations and the Constitution: An Early Modern Perspective Symposium: The Law of Nations and the United States Constitution," *Georgetown Law Journal* 106, no. 6 (2018 2017): 1593–1658.

[14] Sam Haynes, for instance, argues that the Revolution continued late in the nineteenth century. Sam W. Haynes, *Unfinished Revolution: The Early American Republic in a British World*, Jeffersonian America (Charlottesville: University of Virginia Press, 2010).

importance of ceremony and performance,[15] this has yet to be expanded into to the study of Early Republic foreign policy and diplomacy. Interestingly, European diplomatic historians have long recognized the importance of etiquette as a method of diplomatic communication.[16] This essay will apply the analytical tools European historians have developed to the American context for the first time. This essay will pull from each of these areas of historical research—political, diplomatic, social, gender, and legal—to fully understand the multi-faceted nature and importance of the Merry Affair.

Geopolitical Context

By declaring independence, the United States asserted it membership in the community of "civilized nations." This community of nations consisted of the European states who had, over centuries, developed a framework for proper diplomatic relations. As understood by leading legal theorists of the time, the law of nations, a forerunner of what we today would call international law, governed the states of Europe.[17] For the community of states to accept the United States, the United States had to earn acceptance in accordance with the dictates of the law of nations.

To Enlightenment thinkers, the law of nations expanded beyond the scope of simply "law." As understood by Jefferson, the law of nations "is composed of three branches. 1. the Moral law of our nature. 2. the Usages of nations. 3. their special Conventions."[18] It touched on every aspect of a nation's practice and nations' relationships to one another, from the titles given

[15] Joanne B. Freeman, *Affairs of Honor: National Politics in the New Republic* (New Haven, Conn.: Yale Univ. Press, 2002).Cynthia D. Earman, "Remembering the Ladies: Women, Etiquette, and Diversions in Washington City, 1800-1814," *Washington History* 12, no. 1 (2000): 102–17.
[16] William Roosen, "Early Modern Diplomatic Ceremonial: A Systems Approach," *Journal of Modern History* 52, no. 3 (September 1980): 452–76. Gemma Allen, "The Rise of the Ambassadress: English Ambassadorial Wives and Early Modern Diplomatic Culture," *Historical Journal* 62, no. 3 (September 2019): 617. Ellen R. Welch, *A Theater of Diplomacy: International Relations and the Performing Arts in Early Modern France*, 1st edition, Haney Foundation Series (Philadelphia: University of Pennsylvania Press, 2017).
[17] Golove and Hulsebosch, "A Civilized Nation," 938.
[18] Thomas Jefferson, "Opinion on the Treaties with France," in *The Papers of Thomas Jefferson Digital Edition*, ed. James P. McClure and J. Jefferson Looney (Charlottesville: University of Virginia Press, Rotunda, 2008).

to ambassadors to the laws of neutrality and the proper causes of a just war.[19] Even the ceremonial etiquette followed in European courts was an extension of the law of nations.

Under the law of nations, only a sovereign state could claim membership in the community of civilized nations. Once sovereign, a state's "right[s] are naturally the same as those of any state."[20] As understood by Emmer de Vattel, the leading thinker on the law of nations, a sovereign state was one that "governs itself, under what form soever, without dependence on any foreign power." [21] Thus, to truly be "sovereign and independent," a state must "govern itself by its own authority and laws."[22]

Though sovereignty might earn a state equal *rights*, it did not earn it equal *rank* with the other states of Europe.[23] European states existed in a hierarchical order reflected and reinforced by diplomatic etiquette.[24] In 1504, Pope Julius II attempted to write down and establish a uniform order of precedence in Europe.[25] The Papal order, however, only captured one moment in time. Throughout the early modern period, European states constantly jockeyed with one another over precedence.[26] By the start of the nineteenth century, the precedence of states in each respective European court was "settled by treaties, or by long custom founded on tactic

[19] Emer de Vattel, *The Law of Nations, Or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns, with Three Early Essays on the Origin and Nature of Natural Law and on Luxury*, ed. Bela Kapossy and Richard Whatmore (Indianapolis: Liberty Fund, 2008), 344; Vattel, 285–86; Vattel, 301.
[20] Vattel, *The Law of Nations, Or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns, with Three Early Essays on the Origin and Nature of Natural Law and on Luxury*, 83.
[21] Vattel, 83.
[22] Vattel, 83.
[23] Andrew Lossky, "International Relations in Europe," in *The New Cambridge Modern History: Volume 6: The Rise of Great Britain and Russia, 1688-1715/25*, ed. J. S. Bromley, vol. 6, The New Cambridge Modern History (Cambridge: Cambridge University Press, 1970), 169–70, https://doi.org/10.1017/CHOL9780521075244.007.
[24] Roosen, "Early Modern Diplomatic Ceremonial," 460.
[25] Welch, *A Theater of Diplomacy*, 33.
[26] Welch, 34; Lossky, "International Relations in Europe," 169–70.

consent."[27] However, of critical importance to the young republic, one rule remained uniform: republics "yield precedency" to monarchies.[28]

Etiquette articulated and reinforced this hierarchy of states. By the early nineteenth century, Europe had developed a complex set of diplomatic etiquette rules and diplomats accepted ceremonial behavior as a form of diplomatic communication.[29] Among its many purposes, etiquette defines social groups; knowing how to properly behave according to etiquette defines who – or what nation – is in and out of groups.[30] Diplomacy is, in and of itself, a social activity between nations.[31] In the words of historian Ellen Welch, diplomacy "borrowed from the language of social rank to determine the hierarchy of European states."[32]

Vattel warned that "[e]very nation, every sovereign, ought to maintain their dignity…by causing due respect to be paid to them; and especially they ought not to suffer that dignity to be impaired."[33] Under this system of etiquette, a diplomatic representative embodied his sovereign. Thus, any respect, or disrespect, shown to him was, by transfiguration, paid to the sovereign he represented.[34] As one early seventeenth century writer wrote "an ambassador must not permit or tolerate anyone to challenge or otherwise give any offense to the honor of his Prince on any subject whatever."[35]

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[27] Vattel, *The Law of Nations, Or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns, with Three Early Essays on the Origin and Nature of Natural Law and on Luxury*, 282.
[28] Vattel, 282.
[29] Roosen, "Early Modern Diplomatic Ceremonial," 454–55.
[30] Jorge Arditi, "Hegemony and Etiquette: An Exploration on the Transformation of Practice and Power in Eighteenth-Century England," *The British Journal of Sociology* 45, no. 2 (1994): 186, https://doi.org/10.2307/591491.
[31] Ian Hurd, "International Law and the Politics of Diplomacy," in *Diplomacy and the Making of World Politics*, ed. Iver B. Neumann, Ole Jacob Sending, and Vincent Pouliot, Cambridge Studies in International Relations (Cambridge: Cambridge University Press, 2015), 31, https://doi.org/10.1017/CBO9781316162903.002; Hurd, 36.
[32] Welch, *A Theater of Diplomacy*, 125.
[33] Vattel, *The Law of Nations, Or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns, with Three Early Essays on the Origin and Nature of Natural Law and on Luxury*, 287.
[34] Roosen, "Early Modern Diplomatic Ceremonial," 455.
[35] Roosen, 457.

Ambassadors took this admonition to heart. A French ambassador wrote on the importance of carefully abiding by the rules of etiquette in 1611: "Let ceremonial rules and compliment be exactly observed, and our charges devoted and obliged to maintain them, for he who sins in one single point ruins everything."[36] Fifty years later, representatives from France and Spain fought over whose carriage would go first in a London parade. The fight ended in the death of a postillion and France threatening a war with Spain.[37] This was hardly an isolated incident. One of Jefferson books,[38] a leading 1740 treatise on the role of ambassadors, dedicates an entire chapter to the question of who paid whom the first visit.[39] The treatise noted that when one ambassador erred in his obligations to pay the first visit, "he committed an unpardonable Fault."[40]

By the nineteenth century, ambassadors were not the only actors in these elaborate social performances. Diplomatic etiquette included roles for ambassadors' wives and, the words of historian Gemma Allen, ambassadorial wives were fully "part of the ritualized world of early modern diplomatic culture."[41] By the time the Merrys set sail for America, both Anthony and Elizabeth understood that they played a diplomatic role as the representatives of the British King.

At first Americans, including Jefferson, learned and abided by the European rules. While serving abroad, John Adams warned that "Indulgences founded on the Supposition of our Inexperience, or to use a more intelligible Word our Ignorance [of the rules of etiquette] cannot

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[36] Welch, *A Theater of Diplomacy*, 33.
[37] Roosen, "Early Modern Diplomatic Ceremonial," 463; Eric Clark, *Corps Diplomatique* ([London] Allen Lane, 1973), 112, http://archive.org/details/corpsdiplomatiqu0000clar.
[38] Thomas Jefferson, "1783 Catalog of Books" (circa -1812 1775), 85, Coolidge Collection of Thomas Jefferson Manuscripts, Massachusetts Historical Society.
[39] Abraham de Wicquefort, *The Rights, Privileges, and Office of Embassadors and Publick Ministers.*, 2nd ed. (London: printed for Charles Davis, in Pater-Noster-Row, 1740), 184, https://link.gale.com/apps/doc/CW0124059991/ECCO?sid=bookmark-ECCO&xid=35ad689b&pg=1.
[40] Wicquefort, 185.
[41] Allen, "The Rise of the Ambassadress," 623.

be expected to continue long."[42] He insisted "there is great Reason to Fear, that the Citizens of America will have Cause for Severe Repentance, if they make too light of it."[43] Under the Federalist administrations of George Washington and Adams, the American diplomatic corps abided by international standards of etiquette.[44] One newspaper reporting on the Merry Affair noted "under the administration of Washington and Adams, the ladies of foreign minister were always considered as entitled to precedence."[45] Other nations recognized and appreciated the Federalists' efforts to conform.

American diplomats quickly realized — and complained about — their position in the hierarchy of states. Jefferson bitterly reported that the United States was "the lowest and most obscure of the whole diplomatic tribe" in 1784.[46] On the other side politically from Jefferson, Alexander Hamilton observed in *Federalist 15* that "[o]ur ambassadors abroad are the mere pageants of mimic sovereignty."[47]

The situation had not much improved by the time Jefferson assumed the presidency. James Monroe complained to James Madison in 1804, only a few months after Jefferson's dinner, of "the station we appear to have held & now hold here….We have no fixed place, and precedence seems to be given to the most subaltern powers, even Portugal, to Naples, Sardinia, &ca, powers wh[ich] have not one hundredth part the political weight in the affairs of the world

[42] John Adams to John Jay, "From John Adams to John Jay, 10 September 1787," September 10, 1787, Founders Online, National Archives, https://founders.archives.gov/documents/Adams/99-02-02-0203.
[43] Adams to Jay.
[44] Golove and Hulsebosch, "A Civilized Nation," 978.
[45] "[Washington; President's; War; State; Navy; Mrs. Merry; English]," *New-England Repertory*, January 14, 1804, America's Historical Newspapers.
[46] Thomas Jefferson to James Monroe, "From Thomas Jefferson to James Monroe, 11 November 1784," November 11, 1784, Founders Online, National Archives, https://founders.archives.gov/documents/Jefferson/01-07-02-0369.
[47] Alexander Hamilton, "Federalist 15," n.d., The Avalon Project, https://avalon.law.yale.edu/18th_century/fed15.asp.

that we enjoy, even at this court."[48] Monroe also echoed Jefferson's earlier complaints about the hostility of the British to American diplomats. He described snide "remarks made respecting our country, and in one or two instances in my hearing wh[ich] were very disgusting to me."[49] Though certainty not alone in their disdain for their former colonies, the British seemed to go out of their way to disrespect the United States. In the two decades since Jefferson served in France, the United States had not risen in the European hierarchy of states and Jefferson feared it never would, unless something radical changed.

Jefferson decided to make that radical change. At the 1803 White House dinner and for the rest of his administration, Jefferson insisted on rejecting European rules of etiquette and instead embraced "pêle mêle." Pêle mêle, the archaic form of the modern-day word pell-mell, is defined as "in mingled confusion or disorder."[50] This word captured Jefferson's rejection of the choreographed and strict European standards of etiquette, in which each actor preformed a specifically prescribed script. Jefferson's pêle mêle etiquette rejected all forms of hierarchy, insisting instead that "a perfect equality exists between the persons composing the company, whether foreign or domestic, titled or untitled, in or out of office."[51] Washington society would no longer give precedence based on ancient European customs determining the status of each nation and its representatives.

The timing of the Affair – spanning the winter of 1803 to 1804 – is crucial in understanding it's full importance in establishing American sovereignty. Two years prior, Jefferson entered the White House as the first Republican President with the avowed goal of

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[48] James Monroe to James Madison, "To James Madison from James Monroe, 3 March 1804," March 3, 1804, Founders Online, National Archives, https://founders.archives.gov/documents/Madison/02-06-02-0512.
[49] Monroe to Madison.
[50] "Pêle-Mêle," in *Merriam-Webster*, accessed September 6, 2021, https://www.merriam-webster.com/dictionary/p%C3%AAle-m%C3%AAle; "Pell-Mell," in *Merriam-Webster*, accessed September 6, 2021, https://www.merriam-webster.com/dictionary/pell-mell.
[51] Jefferson, "II. Canons of Etiquette, 12 January 1804."

returning the United States to what he believed to be the principles of the American Revolution: republicanism and equality.[52]

Three years after his election, Jefferson was ready to spread his republicanizing campaign into the international stage. By the winter of 1803, Jefferson was in the strongest political and diplomatic position of his presidency due to the recent finalization of the Louisiana Purchase. Though negotiations had been completed that summer, on December 16, 1803 – exactly two weeks after the White House dinner – France formally delivered the Louisiana Territory to the United States.[53]

Increasingly confident with its newly acquired geographic territory and its strengthened relationship with France, the United States prepared to flex its diplomatic might against Britain. With the purchase of Louisiana, the British sensed a marked change in the Americans' attitudes towards them. Merry's predecessor, Edward Thornton, wrote in January 1804 that he believed "[a] real Change has taken place [among the Americans] . . . which may be dated from the first Arrival of the Intelligence relative to the Louisiana Purchase, and which has since derived additional Force and Acrimony, from the opinion that Great Britain cannot resist under her present Pressure the new Claims of the United States."[54] Jefferson insisted that this was not the case. In a letter to Monroe on January 8, 1804, he assured him that Thornton's fears were "totally without foundation" and that America's "friendship to that nation is cordial and sincere."[55]

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[52] Of course, to Jefferson "equality" only extended to white men. Neither women nor people of color were included in his vision of equality Freeman, *Affairs of Honor*, 63; Cornelia, "To the Editor of the General Advertiser," *The Aurora*, December 26, 1792, America's Historical Newspapers.
[53] Thomas Jefferson to James Monroe, "From Thomas Jefferson to James Monroe, 8 January 1804," January 8, 1804, https://founders.archives.gov/documents/Jefferson/01-42-02-0223.
[54] Anthony Steel, "Anthony Merry and the Anglo-American Dispute about Impressment, 1803-6," *Cambridge Historical Journal* 9, no. 3 (1949): 338.
[55] Jefferson to Monroe, "From Thomas Jefferson to James Monroe, 8 January 1804," January 8, 1804.

Despite Jefferson's protestations, it is difficult to believe that Thornton's concerns were entirely without justification.

A second monumental foreign policy development occurred in 1803: the recommencement of the Napoleonic Wars and a corresponding increase in British impressments.[56] Though always vitally important to the young nation, the British impressment of American sailors made the need to assert sovereignty especially acute. Though the British insisted they only impressed British nationals, in reality, they impressed sailors found on any ship and there was little to meaningfully differentiate an American sailor and a British one claiming to be American. The British impressed enough true Americans – by some estimates up to 10,000 – between 1792 and 1812 for impressment to become an issue of national and international importance.[57] Impressment had been a disputed point in Anglo-American relations since the Washington administration but it became *the* issue in 1803.[58]

Merry's arrival in Washington, coinciding with these two events, provided the perfect opportunity for Jefferson to stake out his new position on diplomatic etiquette. As the historian Henry Adams wrote, "[Merry] did not expect to arrive at a moment when the United States government, pleased with having curbed Bonaparte, was preparing to chasten Spain and to discipline England."[59]

Enter the Merrys

On November 26, 1803, Anthony and Elizabeth Merry, the newly appointed British minister and his wife, arrived in Washington.[60] Anthony brought with him decades of diplomatic

[56] Steel, "Anthony Merry and the Anglo-American Dispute about Impressment, 1803-6," 332.
[57] Steel, 331.
[58] Steel, 332.
[59] Henry Adams, *History of the United States of America during the First Administration of Thomas Jefferson [to the Second Administration of James Madison]* (New York, C. Scribner, 1889), 361, https://tinyurl.com/4xhu7hzw.
[60] Anthony Merry to James Madison, "To James Madison from Anthony Merry, 26 November 1803 (Abstract)," November 26, 1803, https://founders.archives.gov/documents/Madison/02-06-02-0106.

experience. Prior to his appointment to Washington, Anthony served as the British chargé d'affaires in both Copenhagen and Madrid and played an integral role in British-French relations.[61] During his time in the King's service, Merry had earned the respect of both his British colleagues and American diplomats abroad.[62] Rufus King, then serving as the American Ambassador in London, had spoken privately to the British Foreign Secretary in support of Anthony's appointment.[63] Though Elizabeth had no former diplomatic experience, the couple had only recently wed, she was, by all accounts, a capable hostess and conversationalist with a particular interest in botany.[64] The Merrys appeared to be well-qualified and prepared for the appointment.

Immediately upon his arrival in Washington, Anthony wrote a letter to Secretary of State James Madison informing him of the news and inquiring when he should "deliver…a copy of [his] Letters of Credence," the official documents from King George III appointing him as ambassador.[65] Three days later, Madison escorted Merry to the White House to present his letter to Jefferson, a well-established diplomatic ritual.[66] However, there was one hiccup. Upon their arrival at the White House, Jefferson was nowhere to be found. Merry and Madison found themselves scrambling around the White House searching for the absent President, eventually stumbling into him in a passageway in front of his study.[67]

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[61] Malcolm Lester, *Anthony Merry Redivivus: A Reappraisal of the British Minister to the United States, 1803-6* (Charlottesville, 1978), 5–7, http://hdl.handle.net/2027/mdp.39015030657236.
[62] Lester, 19.
[63] Rufus King, "R. King to Secretary of State (April 10, 1802)," in *The Life and Correspondence of Rufus King; Comprising His Letters, Private and Official, His Public Documents, and His Speeches* (New York, New York: G. P. Putnam's sons, n.d.), 100–101.
[64] Lester, *Anthony Merry Redivivus*, 10–12.
[65] Merry to Madison, "To James Madison from Anthony Merry, 26 November 1803 (Abstract)," November 26, 1803.
[66] Anthony Merry, "Merry to Hawkesbury, 6 December 1803," December 6, 1803, F.0.-5, Foreign Correspondance: United States, 41: 24, Great Britain, Foreign Office, https://dds-crl-edu.proxy01.its.virginia.edu/item/423407.
[67] Lester, *Anthony Merry Redivivus*, 31.

In his official correspondence to London, Merry described the ensuing "ceremony" as consisting of him presenting his letter to the President followed by an exchange of brief perfunctory assurances on their nations' mutual affection. Merry noted that Jefferson "rendered [this ceremony] as short as possible."[68] This brief ceremony, if it can even be called that, could not have been more different than the rigidly choreographed European norm. For example, when Jefferson presented his letter in Versailles, he and the French King followed a well-established choreography. Upon entering the King's chambers, Jefferson gave three bows before speaking, presented his letter to the King, and then gave another three bows before taking leave.[69] Certainly Merry expected something more similar to the Versailles experience that then the hurried reception he received.

Though his official record of the ceremony was sparse, in a separate letter Merry indignantly noted that Jefferson received him in "his usual Morning attire, contrary to the Ceremony observed by his Predecessors."[70] The story of Jefferson's attire spread. Having since returned to America after his ambassadorship concluded, Rufus King reported disapprovingly to a friend in London that "Mr. Jefferson rec[ieve]d [Merry] in his slippers, and altogether in an undress."[71] Merry, on the other hand, had arrived in full ceremonial dress, as was the norm in Europe, for his first audience with the American President. Merry's ensemble included a coat with a velvet trim and gold braid, breaches, silk stockings, and buckled shoes. A ceremonial sword and a plumed hat completed the look.[72] Augustus John Foster, Anthony's Secretary,

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[68] Merry, "Merry to Hawkesbury, 6 December 1803," December 6, 1803.
[69] G. S. Wilson, *Jefferson on Display: Attire, Etiquette, and the Art of Presentation*, Jeffersonian America (Charlottesville: University of Virginia Press, 2018), 30.
[70] Merry, "Merry to Hawkesbury, 6 December 1803 (Separate)," December 6, 1803.
[71] Rufus King, "Rufus King to C. Gore (Jan. 4, 1804)," in *The Life and Correspondence of Rufus King; Comprising His Letters, Private and Official, His Public Documents, and His Speeches.* (New York, New York: G. P. Putnam's sons, n.d.), 340.
[72] Lester, *Anthony Merry Redivivus*, 31.

described him as arriving at the White House "bespeckled with the spangles of our gaudiest court dress."[73]

The dress of each man carried symbolic meaning, a fact each of them was keenly aware of. According to the etiquette of the day, a host could greet his social inferior or equal in his morning attire but not his superior. On the other side, an inferior had to arrive in equal to or better attire than his host. The fact that Merry arrived, as Jefferson must have expected, in full ceremonial dress and Jefferson remained in his morning clothes reflected at least an equal, if not a superior/inferior, social relationship from the start.[74] Jefferson made it clear that the United States was no longer Britain's colonial possession but was an independent and equal state.

Following the presentation of the letter of credence, Jefferson invited the Merrys to a dinner in their honor at the White House. On the evening of December 2, 1803, Jefferson's hand-selected cast assembled for dinner. The dinner's guest list featured prominent members of Washington diplomatic society[75] including the French chargé d'affaires Pichon and his wife; the Spanish minister Carlos Martínez de Irujo[76] and his wife Sally; James Madison and his wife Dolley; and, of course, Anthony and Elizabeth Merry.[77]

The guest list alone proved controversial; the Merrys were unhappily surprised to find themselves eating alongside the Pichons. Long standing diplomatic etiquette dictated that representatives of warring nations should not be invited to the same social event and, in 1803,

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[73] Lester, 31.
[74] Wilson, *Jefferson on Display*, 145.
[75] Notably, the guest list included one key omission: the Danish minister. Later, the fact that one member of the Washington diplomatic corps did not receive an invitation allowed Jefferson's administration to claim the dinner was a private, not a "diplomatic" one. James Madison to James Monroe, "From James Madison to James Monroe, 19 January 1804," January 19, 1804, Founders Online, National Archives, https://founders.archives.gov/documents/Madison/02-06-02-0329.
[76] "Yrujo" is sometimes used an alternative spelling for his name by both historians and his contemporaries. For the sake of ease, this essay will standardize all spellings of his name to Irujo.
[77] Davis, "Pell-Mell," 520.

Britain and France were once again embroiled in the Napoleonic Wars.[78] The Pichons' presence at the dinner was no mere coincidence or oversight. Jefferson had gone out of his way to urge them to cut short a trip to Baltimore to be able to attend the dinner.[79] Based on the guest list alone, the dinner would have become a topic of Washingtonian gossip.

However, the real controversy began when the guests began to head into dinner. Jefferson had carefully arranged his stage. In the pre-dinner conversation, Jefferson positioned himself beside Dolley Madison. When dinner was called, instead of escorting Elizabeth Merry, the guest of honor and thus highest-ranking woman at the dinner, Jefferson offered his hand to Madison and "conducted [her] to the Table."[80] Alarmed at the break in protocol and apparently unaware of the role Jefferson had cast her to play, Madison reportedly hastily whispered to Jefferson "[t]ake Mrs. Merry" when he offered her his arm.[81] Jefferson did not abide by Madison's whispered warning and instead proceeded to escort her to the table and "place her at his right Hand," the position of honor.[82] For his part, Anthony was left scrambling for a seat at the table. He attempted to obtain a seat beside Sally de Irujo, as diplomatic etiquette suggested, "when a Member of the House of Representative passed quickly by [him] and took the Seat."[83] In all of this, Jefferson sat passively by without "using any Means to prevent it, or taking any Care how [Anthony] might be otherwise placed."[84] As later recounted by Foster, Anthony's secretary, after escorting his wife to the table, Anthony gave "a hint to one of the servants to send for his

[78] Earman, "Remembering the Ladies," 109.
[79] Adams, *History of the United States of America during the First Administration of Thomas Jefferson [to the Second Administration of James Madison]*, 369.
[80] Merry, "Merry to Hawkesbury, 6 December 1803 (Separate)," December 6, 1803.
[81] Allen C. Clark, *Life and Letters of Dolly Madison* (Washington, D. C., 1914), 61, https://tinyurl.com/wvm496wv.
[82] Merry, "Merry to Hawkesbury, 6 December 1803 (Separate)," December 6, 1803.
[83] Merry.
[84] Merry.

carriage… [and spent the dinner] half ashamed and half awkward."[85] Four days later Anthony fumed to his superiors in London about the "absolute Omission of all Distinction in my and Mrs. Merry's Favor at the President's House."[86]

A few days later, the Madisons hosted their own dinner and dashed any chance for the Merry Affair to be quickly and quietly settled. Once more, European etiquette dictated that the host, James Madison, should escort Elizabeth Merry to the table. However, when dinner was called, "the Preference in every Respect was taken by, and given to, the Wives of the Secretaries of the Departments" with "the Foreign Minister and their Wives being left to the care of themselves."[87] James Madison refused to escort Elizabeth Merry. Instead, to his humiliation, Anthony was "under the necessity of leading in his own wife, and accommodating her at table as well as he could."[88] Pichon noted, "[t]here is no doubt that Mr. Madison in this instance wished to establish in his house the same formality as at the President's, in order to make Mr. Merry feel more keenly the scandal he had made; but this incident increased it."[89] Defending his actions, Madison later explained "the example [of Jefferson] could not with propriety by violated. It soon appeared that umbrage had been taken."[90]

Umbrage was an understatement. Anthony Merry departed from this second dinner incensed. He wrote to London that he and the other foreign ministers "are now placed here in a Situation so degrading to the Countries they represent, and so personally disagreeable to

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[85] Augustus John Foster, *Jeffersonian America: Notes on the United States of America,* (San Marino, Calif.,: Huntington Library, 1954), 52, https://tinyurl.com/hjjpn8su.
[86] Merry, "Merry to Hawkesbury, 6 December 1803 (Separate)," December 6, 1803.
[87] Anthony Merry, "Merry to Hammond, 7 December 1803," December 7, 1803, F.O.-5, 41: 58-59, Great Britain, Foreign Office, https://dds-crl-edu.proxy01.its.virginia.edu/item/423407.
[88] "Extract of a Letter from a Gentleman at Washington, Dated 2d January, 1804."
[89] Davis, "Pell-Mell," 522.
[90] Madison to Monroe, "From James Madison to James Monroe, 19 January 1804," January 19, 1804.

themselves, as to have become almost intolerable."[91] He concluded by declaring everything in Washington "perfectly savage."[92]

It was immediately clear to all participants that Jefferson and Madison acted in deliberate disregard of European etiquette. As complex as the European system of etiquette might be, Jefferson was no stranger to it. Having played a prominent role in American foreign policy for decades, first as the Confederation Congress's minister in Paris and then as George Washington's Secretary of State, Jefferson was well-versed in the world and rules of diplomatic society.[93] Even if Jefferson had momentarily forgotten the correct etiquette, the whispered warning from Dolley Madison, combined with the look of outrage that one can image spread across the faces of each of the Merrys, would have alerted him to his mistake.

Jefferson also understood the symbolic importance of his actions as the Head of State and took pride in his role as the "only channel of communication between [the United States] and foreign nations."[94] As he wrote to the then-French minister while serving as Secretary of State, "it is from [the President] alone that foreign nations or their agents are to learn what is or has been the will of the nation, and whatever he communicates as such they have a right and are bound to consider as the expression of the nation."[95] Conscious of the importance of his office, Jefferson understood that every action, especially ones that deviated from the diplomatic script, carried with it a message.

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[91] Merry, "Merry to Hammond, 7 December 1803," December 7, 1803.
[92] Merry.
[93] Michael Schwarz, "The Origins of Jeffersonian Nationalism: Thomas Jefferson, James Madison, and the Sovereignty Question in the Anglo-American Commercial Dispute of the 1780s," *Journal of Southern History* 79, no. 3 (August 2013): 570.
[94] Thomas Jefferson to Edmond Charles Genet, "From Thomas Jefferson to Edmond Charles Genet, 22 November 1793," November 22, 1793, https://founders.archives.gov/documents/Jefferson/01-27-02-0383.
[95] Jefferson to Genet.

For his part, Merry clearly believed that the slight was deliberate. Complaining about the dinner, he wrote that "it is evidently from Design, and not from Ignorance and Awkwardness (though God knows a great Deal of both as to Matters even of common Etiquette is to be seen at every step in this Part of the Country)."[96] As Merry reasoned, Jefferson, who had formerly served as Secretary of State, could not have been "ignorant of the Distinction which his Predecessors always paid to Foreign Ministers."[97] Jefferson surely was not.

Following the dinners, Washington descended into a social war throughout the winter of 1803-1804.[98] Waged in dining rooms and ballrooms throughout Washington, this social war consisted of snide comments, sideways glances, refused invitations and exclusive guest lists. Washington society watched the growing social war with interest. As one socialite wrote in December 1803, the Merry Affair caused "a huge uproar – as much as if a treaty had been broken!"[99] Just as if the United States had reneged on a treaty obligation, Jefferson's spite of Elizabeth Merry broke international norms. Pichon reported to Paris, with some degree of amusement, that "Washington society is turned upside down."[100]

Battle lines quickly emerged and the Merrys found themselves allied with the Irujos. Pichon described Irujo as "vanity itself" who enthusiastically took up arms with the Merrys and "blew the flame more vigorously than ever."[101] The two couples jointly decided to refuse all social invitations until the administration acknowledged their precedence. At the annual White House New Year's reception, one of the largest events on the Washington social calendar "where

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[96] Merry, "Merry to Hammond, 7 December 1803," December 7, 1803.
[97] Merry, "Merry to Hawkesbury, 6 December 1803 (Separate)," December 6, 1803.
[98] Thomas Jefferson to William Short, "From Thomas Jefferson to William Short, 23 January 1804," January 23, 1804, Founders Online, National Archives, https://founders.archives.gov/documents/Jefferson/01-42-02-0291.
[99] Rosalie Stier Calvert, *Mistress of Riversdale: The Plantation Letters of Rosalie Stier Calvert, 1795-1821* (JHU Press, 1992), 70.
[100] Allgor, *Parlor Politics*, 39.
[101] Adams, *History of the United States of America during the First Administration of Thomas Jefferson [to the Second Administration of James Madison]*, 373.

every person of note, foreign or domestic, meets to interchange the compliments of the season,"[102] the two wives conspicuously absented themselves. As Pichon reported, Irujo "took care to answer every one who inquired after his wife's health, that she was perfectly well."[103]

As Foster recorded, Merry continued to rebuke invitations from the White House, explaining to Jefferson that "he dared not comply with what might compromise the dignity of his situation and be disapproved by his Government."[104] Merry refused to endorse what, in his view, was "the then prevailing humour of the American Government to show contempt of European usages and forms."[105] Likewise, the Irujos persisted in their rejection of White House invitations. In February 1804, Irujo declined an invitation from Jefferson, claiming it was "not in his power to have the pleasure of accepting."[106] Jefferson complained, "it is said the two families (Merry's & [I]rujo's) mean to put themselves into Coventry until further orders from their court."[107]

Of the three most prominent foreign diplomats in Washington, only Pichon sided with the Jeffersonians. Pichon's support did not go unnoticed. Jefferson noted with appreciation that "in all this business, Pichon has had the good sense to keep himself entirely aloof from it."[108]

The Louisiana Purchase explains the social war alliances. Prior to selling it to the French in 1800, the Spanish owned the Louisiana Territory for nearly forty years.[109] When the French sold their former possession to the Americans, the Spanish were infuriated. Merry reported that

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[102] Jefferson to Short, "From Thomas Jefferson to William Short, 23 January 1804," January 23, 1804.
[103] Adams, *History of the United States of America during the First Administration of Thomas Jefferson [to the Second Administration of James Madison]*, 373–74.
[104] Foster, *Jeffersonian America*, 53.
[105] Foster, 53.
[106] Carlos Martinez de Irujo to Thomas Jefferson, "To Thomas Jefferson from Carlos Martínez de Irujo, 10 February 1804," February 10, 1804, Founders Online, National Archives, https://founders.archives.gov/documents/Jefferson/01-42-02-0382.
[107] Jefferson to Short, "From Thomas Jefferson to William Short, 23 January 1804," January 23, 1804.
[108] Jefferson to Short.
[109] Sandra Rebok, "Exploration or Espionage?: The Spanish Reaction to Humboldt's Meetings with Jefferson in 1804," *Dieciocho: Hispanic Enlightenment* 42, no. 2 (Fall 2019): 259.

Jefferson considered Spain's "Resistance" to the sale "highly ridiculous, and as shewing a very pitiful Conduct on her Part."[110] By siding with the Merrys in the etiquette war, Irujo drew the Jeffersonians' ire. As Madison wrote to Monroe, Irujo's "case is indeed different and not a little awkward."[111] It is likely, however, that the Irujos decided to side with the Merrys not only to protest etiquette but also to show Spain's opposition to the Louisiana Purchase. The question of etiquette served as a proxy for a much grander dispute. The two nations most threatened by the Louisiana Purchase, Spain and England, fell on one side of the social war while the ones who most profited from it, the United States and France, fell on the other.

Attempting to broker a solution, Irjuo approached Madison to discuss the problem in January 1804. He "appeal[ed] to the universal practice in Europe, as well as the preceding practice here, in support of the precedence of foreign Ministers & their families over those of the Country."[112] The intervention failed to ameliorate the crisis. Jefferson refused to budge and indeed dug his heels in deeper. Singling out Elizabeth Merry as his enemy, Jefferson declared if she continued with her claims to distinction, "she must eat her soup at home."[113]

To justify the President's action, the Jeffersonians first argued that this had been Jefferson's practice throughout his presidency. In an exacerbated letter about the Affair, Jefferson wrote that his approach to etiquette "had gone on for three years without exciting any jealousy."[114] Madison echoed this point arguing that "the mark of distinction [Merry] had looked for had never been shewn to any particular person at the President's table."[115] Therefore, Madison reasoned, Merry should not be offended because Jefferson treated everyone the same.

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[110] Merry, "Merry to Hawkesbury, 6 December 1803," December 6, 1803.
[111] James Madison to James Monroe, "From James Madison to James Monroe, 16 February 1804," February 16, 1804, Founders Online, National Archives, https://founders.archives.gov/documents/Madison/02-06-02-0451.
[112] Madison to Monroe, "From James Madison to James Monroe, 19 January 1804," January 19, 1804.
[113] Jefferson to Monroe, "From Thomas Jefferson to James Monroe, 8 January 1804," January 8, 1804.
[114] Jefferson to Short, "From Thomas Jefferson to William Short, 23 January 1804," January 23, 1804.
[115] Madison to Monroe, "From James Madison to James Monroe, 19 January 1804," January 19, 1804.

However, this is almost certainly not true. Foster commented that Jefferson's change in manners "must be remarked was quite new."[116] Though Merry admitted "it is generally said, that Mr. Jefferson never observes any Formality at his Table," this was limited to domestic situations.[117] Jefferson doubtlessly did not hold to all of the formality of the European courts for the first few years of his presidency but he used Merry's arrival in 1803 to "to establish Alterations in the Respect and Distinctions which Foreign Ministers enjoy."[118]

As the Affair continued, Jefferson felt the need to put his new rules of etiquette into writing. On January 12, 1804, Jefferson issued his *Cannons of Etiquette.*[119] This short document[120] outlined his new "pêle mêle" approach which was designed "[t]o give force to the principle of equality."[121] Rejecting all forms of European hierarchies, this principle of equality applied both to "personal & national equality."[122] Under pêle mêle, Jefferson insisted "perfect equality exists between the persons composing the company, whether foreign or domestic, titled or untitled, in or out of office" and "no precedence or privilege" is to be given to foreign ministers or their families.[123] On behalf of the nation, Jefferson rejected all European hierarchies between both people and states, instead insisting that all individuals and all nations were created – and ought to be treated – equal.

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[116] Foster, *Jeffersonian America*, 53.
[117] Merry, "Merry to Hawkesbury, 6 December 1803 (Separate)," December 6, 1803.
[118] Merry.
[119] Jefferson, "II. Canons of Etiquette, 12 January 1804."
[120] Jefferson's *Canons of Etiquette* was a mere 379 words long and is less than one page typed. In contrast, the State Department's current official memo on the United States' order of precedence goes on for 20 pages. Jefferson; Ceremonials Division of the Office of the Chief of Protocol, "The Order of Precedence of the United States of America" (United States Department of State, May 14, 2020), https://www.state.gov/wp-content/uploads/2020/05/2020-Order-of-Precedence-FINAL.pdf.
[121] Jefferson, "II. Canons of Etiquette, 12 January 1804."
[122] Jefferson.
[123] Jefferson.

This was a major deviation from the highly regulated and hierarchical etiquette in European courts. The Merrys, and other diplomats, would no longer receive any precedence in Washington. In response to the Merrys and Irujos claims to precedence, Jefferson responded: "no; the principle of society with us, as well as of our political constitution, is the equal rights of all."[124] Still considering themselves the physical representatives of their respective sovereigns, to the Merrys and Irujos, the new rules of etiquette equated the British and Spanish monarchs with whoever happened to be invited for dinner. Apparently quite satisfied with his handiwork, Jefferson asserted in a letter written a few days later "pèle-mele is our law."[125]

London issued no official response to this change in etiquette. Merry himself made clear in a letter to his superior that, while he considered it his "Duty to make Your Lordship acquainted with the Circumstances," he would not take any "formal Notice to them to the Government."[126]

Despite the lack of formal notice, London certainly noticed the Affair. James Monroe, then-serving as America's representative to the Court of St. James, filled his letters from London with news of the reactions to the scandal. Monroe informed the Jefferson administration that British newspapers widely reported on the Affair. Though most articles on it were copied from American Federalist newspapers, Monroe described at least one British pamphleteer who wrote an original piece in which Jefferson was "severely censured & ridiculed."[127] British officials also did not look fondly upon Jefferson's leveling principles and were not hesitant to make their views known. Though he could not be sure it was purposeful, Monroe reported to Madison that

[124] Jefferson to Short, "From Thomas Jefferson to William Short, 23 January 1804," January 23, 1804.
[125] Jefferson to Short.
[126] Merry, "Merry to Hawkesbury, 6 December 1803 (Separate)," December 6, 1803.
[127] Monroe to Madison, "To James Madison from James Monroe, 3 March 1804," March 3, 1804.

"[t]he Queen, at the time the Etiquette story was in circulation, I thought passed me in the crowd intentionally."[128]

Federalist Christopher Gore reported more explicit signs of British disapproval. Having first arrived in Britain in 1796 to help negotiate the Jay Treaty and then briefly serving as the American chargé d'affaires in London, Gore was intimately acquainted with the British diplomatic elite.[129] In February 1804, he reported "M[erry]'s dispatches are truly of a very sombre hue. The reception of the Pres[iden]t[], the details of leading into dinner, &c. &c. were as particularly recounted, as the wounded pride of the Lady, or the injured dignity of the Minister could possibly require."[130] The story reached the highest rungs of the British foreign policy establishment, capturing their attention. Gore wrote that the British Foreign Secretary, Lord Hawkesbury, "took me aside & mentioned the unpleasant account they had received from Washington."[131] Gore further warned that the Affair "has & will have considerable weight in the mind of this Gov[ermen]t[]" and "[i]n this silly business, they probably see here a disposition to affront England, and it will with others, increase a growing discontent with us."[132] The social war did not fully cross the Atlantic but news of it certainly did.

Domestically, the press widely covered the Merry Affair.[133] Newspapers reported on Anthony being forced to escort his wife to dinner and Elizabeth's refusal to dine with the Jeffersonians "till she can be assured of better treatment."[134] Federalist newspapers questioned

[128] Monroe to Madison.
[129] Massachusetts Historical Society, *Collections of the Massachusetts Historical Society* (Massachusetts Historical Society., 1833), 194–95.
[130] Christopher Gore, "C. Gore to Rufus King (Feb. 8, 1804)," in *The Life and Correspondence of Rufus King; Comprising His Letters, Private and Official, His Public Documents, and His Speeches.* (New York, New York: G. P. Putnam's sons, n.d.).
[131] Gore, 342.
[132] Gore, 342.
[133] Earman, "Remembering the Ladies," 110.
[134] "Extract of a Letter from a Gentleman at Washington, Dated 2d January, 1804."

Jefferson's motivations and the wisdom of provoking Britain. One New England paper described the "*oppugnation*" at the White House and framed it as a political crisis for the Republican administration.[135] The paper reported "[i]t is said Mr. Jefferson and his minister had been closeted nine hours without intermission," presumably try to find a solution to the crisis.[136] Others expressed fear of British retaliation. A New York paper characterized Jefferson's actions as "so pointed an insult" that "[t]here will certainly be some representation on the subject."[137] A third paper characterized it as "[a]n alarming case," ending the article with the ominous line: "And now a bubble burst, and now a world."[138] Republicans, on the other hand, dismissed the Federalists' criticism. The *Republican Watch-Tower* parodied the Federalists as accusing "[Jefferson of] affront[ing] Great Britain because he is negligent of Mrs. Merry's dog."[139] Citizens of all political persuasion were clearly familiar with the Affair, enough for it to be referenced in a political jab, and it entered the popular political consciousness of the time.

It cannot be known how much the Affair changed Anthony Merry's role as a diplomat. It is clear that he, and especially his wife, felt personally slighted. Despite Margaret Bayard Smith's favorable description of Elizabeth Merry upon her arrival as a "well-made woman" with "fine understanding," the ladies of Washington became downright hostile to her.[140] These ladies tormented Merry by "remarking on her dress or diamond or treading on her gown."[141] According to Foster, the insults leveled against her "wearied Mrs. Merry to such a degree that I have sometimes seen her on coming home burst into tears at having to live at such a place, particularly

[135] "[Washington; President's; War; State; Navy; Mrs. Merry; English]."
[136] "[Washington; President's; War; State; Navy; Mrs. Merry; English]."
[137] "Extract of a Letter from a Gentleman at Washington, Dated 2d January, 1804."
[138] "An Alarming Case," *Evening Post*, January 4, 1804, America's Historical Newspapers.
[139] "Mammoth Loaf," *Republican Watch-Tower*, May 5, 1804, America's Historical Newspapers.
[140] Margaret Bayard Smith, *The First Forty Years of Washington Society*, ed. Galliard Hunt (New York: Charles Schribner's & Sons, 1906), 46.
[141] Foster, *Jeffersonian America*, 55.

on seeing the affected impoliteness of those who should have known better."[142] As one newspaper reported more than two months after the dinners, "the ladies, have resisted with no small pertinacity the pretension of the other, and yet hold out, so as in a great measure to have destroyed all intercourse between them."[143]

This social conflict certainly weighed on the couple personally but it also likely affected their ability to engage effectively in diplomacy. By losing out on these social interactions at the White House and the homes of the American Cabinet Secretaries, Anthony lost opportunities to informally network and discuss the issues of the day with the highest-ranking American officials. Jefferson himself noted that Anthony "will lose the best half of his usefulness to his nation, that derived from a perfectly familiar & private intercourse with the secretaries & myself."[144]

These ladies' dislike of Elizabeth also brought with it diplomatic consequences. By the 1800s, just as they participated in diplomatic ceremonies, "ambassadresses" were part of their husbands' diplomatic delegation. Ambassadresses served as valuable sources of diplomatic intelligence due to their ability to infiltrate female sociability networks in their host nation. In addition, their ability to befriend politically influential women in their host country allowed them to influence decision-making in favor of their home nation.[145] The Merry Affair forever drove a wedge between Elizabeth and the Jeffersonian women. With the Affair and the controversy it provoked, she was barred from this informal female network, unable to assist her husband's mission. Jefferson would have been pleased to hear Dolley Madison's report in May 1804 that

[142] Foster, 55.
[143] "Miscellany. Etiquette of the Court of the United States," *Repertory*, February 14, 1804, America's Historical Newspapers.
[144] Jefferson to Monroe, "From Thomas Jefferson to James Monroe, 8 January 1804," January 8, 1804.
[145] Allen, "The Rise of the Ambassadress."

Elizabeth Merry "hardly associated with any one" and instead was "always rideing [*sic*] on Horse back."[146]

Madison's statement, however, does not appear to be entirely true. The Merrys did continue to attend some social events in the nation's capital. For instance, there are records of the Merrys attending a ball hosted by the Secretary of the Navy in January[147] and another hosted by Federalist John Tayloe in late February 1804.[148] That same month, the Merrys hosted three prominent Washingtonians, including then-Senator John Quincy Adams, for a formal visit.[149] Even if the Merrys continued to engage in some social activities, they operated in a limited social circle and with limited opportunities for intimacy, especially with Jeffersonians.

Some historians have speculated that the Merry Affair made Anthony Merry and Irujo more receptive to anti-Jeffersonians plans throughout the first decade of the nineteenth-century. For instance, Aaron Burr went straight to Merry and Irujo to gain support for his planned western empire.[150] Though it is unclear how much Merry and Irujo's personal feelings came into play as they weighed their nations' interests, it is notable that Burr at least thought that the Affair had made the two men more amenable to his scheme. In addition to Burr, New England Federalists considering secession also turned to Merry for support.[151] England would be the obvious ally of the New Englanders but one does have to consider what part Merry's clear personal dislike of Jefferson played in these conversations and his recommendations back to London. It can never truly be known how much the Affair changed Merry's positions but it did ensure what could

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[146] Dolley Madison to Anna Cutts, "Dolley Payne Todd Madison to Anna Payne Cutts, 25 May 1804," May 25, 1804, The Papers of Dolley Madison Digital Edition, https://rotunda-upress-virginia-edu.proxy01.its.virginia.edu/founders/DYMN-01-02-02-0031.
[147] Smith, *The First Forty Years of Washington Society*, 44–45.
[148] Calvert, *Mistress of Riversdale*, 77.
[149] M. Cutler, "To Mrs. Poole," in *Life and Letters of Dolly Madison*, by Allen C. Clark (Washington, D.C., 1804), 65, https://tinyurl.com/wvm496wv.
[150] Davis, "Pell-Mell," 525.
[151] Allgor, *Parlor Politics*, 40.

have been a long and fruitful working relationship was one marked by personal animosity and hostility.

Despite the mundanity of its weapons, the social war had significant and tangible political consequences. The effects of the dinner rippled across the Atlantic Ocean. Jefferson's simple act of escorting Dolley Madison instead of Elizabeth Merry became a topic of international concern, resulting in a flurry of letters to and from European capitals. Jefferson consciously broke etiquette and understood the potential consequences of doing so.

The Quest for Sovereignty

On July 4, 1776, the Continental Congress declared "[t]hat these United Colonies are, and of Right ought to be Free and Independent States…and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do."[152] With these words, the United States attempted to secure a place for itself within the European community of civilized states.

The Declaration of Independence, however, was only the first step in a long road to achieving full recognition as a sovereign nation. With the end of the Revolutionary War and the Treaty of Paris, European states slowly began to grant the United States *de jure* recognition but *de facto* recognition remained a long way off.[153] According to some scholars, it was not until the end of the War of 1812, more than a decade after the Merry Affair, that the United States achieved full-acceptance into the community of states.[154] While the United States may finally have been half-heartedly accepted by the international community in 1815, Americans remained

[152] "Declaration of Independence," July 4, 1776, National Archives, https://www.archives.gov/founding-docs/declaration-transcript.
[153] Golove and Hulsebosch, "A Civilized Nation," 942–439.
[154] Golove and Hulsebosch, 942–43.

self-conscious about their independent status. As late as 1840, one American writer lamented that the United States still had "achieved only half our independence."[155]

With no "blue print" for how a former colony could become part of the community of nations,[156] the United States struggled to articulate its sovereignty both to itself and the international community. As one historian described, the Americans "wrapped themselves in the trappings of nationhood in an almost desperate effort to assert a sovereignty which they sensed they did not possess."[157] On its quest for sovereignty, the United States travelled through uncharted legal territory.

Quickly, it became apparent that the United States could not truly be a member of the community of nations until the member nations accepted it.[158] As one political scientist explained, "status [among states] depends on social recognition: it concerns identification processes in which an actor gains admission into a club."[159] In particular, the United States sought Britain's recognition. Even with its formal recognition of American independence, Britain continued to treat its former colonies and their representatives with disrespect. While on a diplomatic mission in London prior to assuming the Presidency, Jefferson remembered "it was impossible for anything to be more ungracious than [the British King and Queen's] notice of Mr. [John] Adams and I."[160] This lack of respect grated on the Americans. Introspectively, one British pamphleteer recognized while writing on the Merry Affair that "the Americans think

[155] Haynes, *Unfinished Revolution*, 136.
[156] Hulsebosch, "Being Seen Like a State," 1244.
[157] Haynes, *Unfinished Revolution*, 96.
[158] Golove and Hulsebosch, "A Civilized Nation," 1062.
[159] Marina G Duque, "Recognizing International Status: A Relational Approach," *International Studies Quarterly* 62, no. 3 (September 2018): 577, https://doi.org/10.1093/isq/sqy001.
[160] Thomas Jefferson, "Jefferson's Autobiography," Avalon Project, accessed March 16, 2021, https://avalon.law.yale.edu/19th_century/jeffauto.asp.

themselves underrated by us."[161] The question remained: how could the United States achieve respect?

Pêle mêle served as one strategy to assert American sovereignty to both a European and domestic audience. Under the law of nations, as a sovereign state the United States "should be left in the peaceful enjoyment of that liberty which she inherits from nature."[162] Among these liberties is a nation's right to create its own rules of etiquette. Establishing a unique, national code of etiquette, Jefferson hoped to prove that the United States truly was a sovereign nation — one, in the words of Vattel, that "govern[ed] itself by its own authority and laws"[163] and not by the laws of Britain.

Jefferson and Madison repeatedly made the sovereignty argument to justify pêle mêle in the pairs' letters to Monroe. Madison and Jefferson's letters provided Monroe with the administration's talking points to navigate any conversation touching on the Merry Affair in London. Madison wrote to Monroe in January 1804 explaining "that every Country had a right to establish that which it preferred, & that it was so different in different countries as to leave each the more free to consult its conveniency or its fancy."[164] Put simply, by creating its own etiquette, the United States exerted a power that every sovereign nation had. That same month Jefferson wrote to Monroe about "emotions of great contempt and indignation" among American politicians in response to the idea that "agents of foreign nations should assume to dictate to us what shall be the laws of our society."[165] Highly conscious of the need to constantly reinforce their sovereignty, Americans — or at least Republicans — balked at any suggestion that

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[161] "SUMMARY OF POLITICS," *Cobett's Weekly Political Register*, February 11, 1804, 251, British Library Newspapers, https://link.gale.com/apps/doc/BA3205311373/BNCN?sid=bookmark-BNCN&xid=c18559d5.
[162] Vattel, *The Law of Nations, Or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns, with Three Early Essays on the Origin and Nature of Natural Law and on Luxury*, 74.
[163] Vattel, 83.
[164] Madison to Monroe, "From James Madison to James Monroe, 19 January 1804," January 19, 1804.
[165] Jefferson to Monroe, "From Thomas Jefferson to James Monroe, 8 January 1804," January 8, 1804.

European nations or their agents could govern their conduct. Jefferson penned this letter to Monroe just four days prior to issuing his *Canons of Etiquette*. With his *Canons*, Jefferson made it clear that he, as the American President, would determine the proper etiquette at official American events. Following up on his earlier letter to Monroe, Madison expressed his hope in February 1804 that:

> no farther *jars would have ensued* as I still *hope that the good sense* of the *British government* respecting the right of the *government here to fix its rules of intercourse* and the sentiments and *manners of* the *country to which* they *ought to be adapted* will give the proper *instructions for preventing* like *incidents in future.*[166]

Again, Madison phrased the United States' position as being centered around its rights as a nation. As an independent nation, the United States could create its own rules and practices, reflecting its own manners, not that of Britain.

With the recommencement of war in Europe, it was more important than ever for the United States to exert its sovereignty. In the renewed Napoleonic wars, the United States insisted upon its neutrality. According to Vattel, both "obligations and rights flow[ed] from neutrality."[167] Believing that it held up its end of the bargain, the United States reasoned the other members of the community of civilized states must respect its rights as a neutral nation.

The British, clearly, felt otherwise. They redoubled their attacks on American ships, impressing American sailors into the service of Great Britain. The issue of impressments remained forefront in the minds of the Jefferson administration. On the very day of the White House dinner, James Madison delivered a report to Congress on the "Impressments of persons

[166] Madison to Monroe, "From James Madison to James Monroe, 16 February 1804," February 16, 1804.
[167] Vattel, *The Law of Nations, Or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns, with Three Early Essays on the Origin and Nature of Natural Law and on Luxury*, 523.

belonging to American vessels."[168] According to Madison's report, nearly eighty individuals had been seized from American vessels and forced into British service between March and October 1803.[169]

By continuing to harass American ships, the British humiliated the young nation and violated its neutrality. As Alexander Hamilton wrote in *Federalist 11,* the Americans understood that "[t]he rights of neutrality will only be respected when they are defended by an adequate power. A nation, despicable by its weakness, forfeits even the privilege of being neutral."[170] Paradoxically, the United States had to fight to maintain its neutrality.

And Jefferson ensured it would. In the winter of 1803 to 1804, Jefferson's administration demanded that the United States' rights as a sovereign, neutral state be respected on the high seas and in the White House dining room. In the fall of 1803, Madison had privately warned Monroe that "[i]ncidents [of impressments] are daily occurring which otherwise may overcome the conciliating policy of the President Executive, & provoke the public temper into an irresistible impetus on the public Councils."[171] However, it was not until January 5, 1804, that Madison wrote to Monroe "on the impressment of our seamen, and other violations of our rights" in an official communication.[172] Madison noted that Jefferson's administration held off on officially discussing the topic of impressment with Great Britain until the arrival of Merry in Washington.[173]

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[168] James Madison, "Enclosure: From James Madison, 2 December 1803," December 2, 1803, sh, https://founders.archives.gov/documents/Jefferson/01-42-02-0080-0002#TSJN-01-42-02-0080-0002-kw-0001.
[169] Madison.
[170] Alexander Hamilton, "Federalist 11," n.d., The Avalon Project, https://avalon.law.yale.edu/18th_century/fed11.asp.
[171] James Madison to James Monroe, "From James Madison to James Monroe, 10 October 1803," October 10, 1803, Founders Online, National Archives, https://founders.archives.gov/documents/Madison/02-05-02-0518.
[172] James Madison to James Monroe, "From James Madison to James Monroe, 5 January 1804," January 5, 1804, 5, Founders Online, National Archives, https://founders.archives.gov/documents/Madison/02-06-02-0264.
[173] Madison to Monroe, 5.

At their first meeting, following the hurried Letters of Credence ceremony, Jefferson and Merry discussed the issue of impressment at length. During this meeting, Jefferson sat comfortably in his "Morning attire" while Merry wore his full diplomatic garb. After starting the encounter off with an assertion of power and dominance, Jefferson used this opportunity to press his demands. As Merry reported to London, the Americans had "the Hope of obtaining a greater Respect to their Flag" on the seas.[174] The November 1803 meeting was only the first of many times that Merry would be pushed on the issue of impressment. The Americans continued their demands for greater respect up until the outbreak of the War of 1812. On December 31, 1803, the day before Elizabeth Merry and Sally de Irujo boycotted the White House New Year's reception, Merry again wrote to his superiors on the issue of impressment. He reported to London that the Americans believed "the American Flag should give complete Protection to whatever Persons might be under it."[175] In this assertion, the Americans argued that not only should Americans be protected from impressment on American ships but so too should Englishmen. Americans believed that any British incursion on an American ship violated American sovereignty and threatened its status as a neutral nation.

With the arrival of the Merrys, Jefferson found the perfect time to press the twin subjects of etiquette and sovereignty. Jefferson wanted to pick a fight – but not a war – with the British to reinforce American sovereignty. Already fighting the Barbary pirates in the Mediterranean, the United States was in no position to start a hot war with a global superpower; a social one would have to do. The Louisiana Purchase provided Jefferson with the diplomatic and domestic political strength to make his point and the growing impressment crisis made it all the more

[174] Merry, "Merry to Hawkesbury, 6 December 1803," December 6, 1803.
[175] Anthony Merry, "Merry to Hawkesburg, 31 December 1803," December 31, 1803, F.O.-5, 41: 60-67, Great Britain, Foreign Office, https://dds-crl-edu.proxy01.its.virginia.edu/item/423407.

important to press the issue of American sovereignty. By arguing that, like "every Country" the United States "had a right to establish that which it preferred" in terms of rules of etiquette, [176] Jefferson's administration asserted American sovereignty. As a sovereign nation, the United States could create its own rules of etiquette which must be respected by other nations. Reflecting on Jefferson's legacy in 1830, a Democrat toasted to Jefferson for breaking "the charms of British precedents."[177]

Democratizing the Law of Nations

Jefferson and his followers considered his election in 1800 "as real a revolution in the principles of our government as that of [17]76[] was in it's form."[178] Concerned about the creeping spread of aristocracy under the Federalists, Jefferson hoped to return the United States to what he believed were the true values of 1776: republicanism[179] and its "vital principle," equality.[180] To Jeffersonians, etiquette was antithetical to the young Republic's promise of equality and Jefferson vowed to eliminate it, and the hierarchal structures which it reinforced, in American society. Once the United States stamped out aristocracy at home, it could then spread the promise of the Revolution abroad. In addition to proving American sovereignty, Jefferson employed pêle mêle to first democratize American society and then the law of nations.

Domestically and diplomatically, Republicans saw the elimination of etiquette as a critical component of their war against aristocracy. As Foster, Merry's Secretary, reflected

[176] Madison to Monroe, "From James Madison to James Monroe, 19 January 1804," January 19, 1804.
[177] Robert Rantoul, *An Oration Delivered before the Democrats and Antimasons, of the County of Plymouth : At Scituate, on the Fourth of July, 1836* (Boston: Printed by Beals & Greene, 1836), 19, https://link-gale-com.proxy01.its.virginia.edu/apps/doc/CY0104689589/SABN?u=viva_uva&sid=bookmark-SABN&xid=c77900c8&pg=1.
[178] Thomas Jefferson to Spencer Roane, "From Thomas Jefferson to Spencer Roane, 6 September 1819," September 6, 1819, Founders Online, National Archives, https://founders.archives.gov/documents/Jefferson/98-01-02-0734.
[179] Freeman, *Affairs of Honor*, 63.
[180] Of course, to Jefferson "equality" only extended to white men. Neither women nor people of color were included in his vision of equality. Cornelia, "To the Editor of the General Advertiser."

"questions of etiquette…occupied the thought of the Republicans a great deal."[181] During the 1800 presidential campaign, one Jeffersonian wrote:

> Etiquette! Confound the word, it ought not to be admitted into an American dictionary. Ought we to follow the fashions and follies of old corrupt courts? Are we not a young Republic? And ought we not be plain and honest, and to distain all their craft, pageantry and grimace?[182]

This author was hardly alone. Borrowing the words of Republican Senator William Maclay, Republicans concluded that they must avoid the "fooleries fopperies fineries and pomp of Royal etiquette" at all costs.[183] As Anthony Merry understood, pêle mêle put foreign ministers "on a Level with the lowest American Citizen."[184] By rejecting etiquette, the United States rejected the European monarchies' hold over proper manners and societal organization.

More fundamentally, etiquette is inherently bound to systems of prestige.[185] The entire system – who calls on who first, who takes the first dance at a ball, who is led first into dinner – revolves around the relative ranks of each participant in the system. Thus, etiquette determines and reinforces hierarchies, the opposite of republican equality. In society, etiquette reinforced class and social status. In diplomacy, instead of ensuring equality among sovereign states, diplomatic etiquette created undemocratic inequalities among the members of the community of civilized nations.

Before he could turn his attention abroad, however, Jefferson had to overcome resistance at home. In the quest to create a new nation, the republican/aristocratic divide echoed as a constant refrain.[186] While the Republicans attempted to eradicate all vestiges of European

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[181] Foster, *Jeffersonian America*, 55.
[182] Davis, "Pell-Mell," 510.
[183] William Maclay, *Journal of William Maclay: United States Senator from Pennsylvania, 1789-1791*, ed. Edgar S. Maclay (New York: D. A. Appleton, 1890), 69, https://tinyurl.com/h98vnfym.
[184] Davis, "Pell-Mell," 520.
[185] Michael Curtin, "A Question of Manners: Status and Gender in Etiquette and Courtesy," *The Journal of Modern History* 57, no. 3 (1985): 413.
[186] Freeman, *Affairs of Honor*, 7.

aristocracy from the United States, the Federalists continued to embrace some elements of Old World order. To the horror of their Republican colleagues, Federalist Congressmen in the First Congress proposed addressing the President with the title "Excellency" or "highness."[187] Republicans thought these titles too closely resembled those of a European prince and would encourage "a belief…that the manners of that prince and his modes of government would be adopted by the President."[188] Before the first time George Washington addressed the Senate, it engaged in a "considerable degree of talk" whether or not the Senators should be seated or standing during the President's address. Questions like these on the proper ceremonies to institute garnered so much attention that the First Congress established a Joint Committee on Ceremonies to answer them.[189] As historian Joanne Freeman concludes, when politicians and the public debated on questions of aristocracy and deference, they debated the very nature of the government and society they hoped to create.[190]

When Jefferson assumed the presidency, he vowed to eradicate the infection of aristocracy in American social and political life. Jefferson believed that practicing proper republican behavior was fundamentally important to the American experiment. As he wrote in 1814, "I fear nothing for our liberty from the assaults of force; but I have seen and felt much, and fear more from…English manners."[191] Believing that "man is an imitative animal,"[192] Jefferson vowed to model proper republican behavior to the watching, and learning, American electorate.

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[187] Maclay, *Journal of William Maclay: United States Senator from Pennsylvania, 1789-1791*, 24.
[188] Maclay, 25.
[189] Maclay, 4.
[190] Freeman, *Affairs of Honor*, 38.
[191] Thomas Jefferson to Horatio Spafford, "Thomas Jefferson to Horatio G. Spafford, 17 March 1814," March 17, 1814, Founders Online, National Archives, https://founders.archives.gov/documents/Jefferson/03-07-02-0167.
[192] Thomas Jefferson, *Notes on the State of Virginia*, ed. William Peden (Chapel Hill, United States: University of North Carolina Press, 1996), 162, http://ebookcentral.proquest.com/lib/uva/detail.action?docID=4322021.

Margaret Bayard Smith, a prominent Republican and chronicler of Washington society, testified that Jefferson did not "resort[] to any of the offensive and exclusive forms and ceremonies, which in European society constituted the barriers which separate the different orders of society."[193] For instance, Jefferson abandoned the practice of citizen bowing to the President in favor of handshaking.[194] By switching to handshaking, Jefferson removed a vestige of European aristocracy and replaced it with a distinctly republican practice. Believing, as one newspaper posited in 1789, "every extravagance of which our rulers set us an example, be followed by the publick [*sic*] in a greater or less degree,"[195] Jefferson sought to portray simplicity.

With the Merry Affair, Jefferson took his agenda to the international stage. Believing the United States destined to be a global beacon of liberty and republicanism,[196] Jefferson envisioned the Revolution as propelling a "ball of liberty…[which] is now so well in motion that it will roll round the globe."[197] Jefferson dedicated his political life to assuring its success.

Turning his attention abroad, Jefferson first targeted the diplomatic corps. Jefferson saw the diplomatic corps as "the last refuge from which etiquette, formality and folly will be driven"[198] and directed the aim of his *Canons of Etiquette* directly at this bastion of aristocracy. *The Herald of Freedom,* a Boston newspaper, asserted in 1789 "the dignity of our government is to be persevered only by adhering to the plain principles of republicanism – by doing our

[193] Smith, *The First Forty Years of Washington Society*, 405.
[194] Davis, "Pell-Mell," 511.
[195] "For the Herald of Freedom," *Herald of Freedom*, October 9, 1789, America's Historical Newspapers.
[196] Robert W. Tucker and David C. Hendrickson, "Thomas Jefferson and American Foreign Policy," *Foreign Affairs* 69, no. 2 (Spring 1990): 137, https://doi.org/10.2307/20044308.
[197] Thomas Jefferson to Tench Coxe, "From Thomas Jefferson to Tench Coxe, 1 June 1795," June 1, 1795, Founders Online, National Archives, https://founders.archives.gov/documents/Jefferson/01-28-02-0282.
[198] Thomas Jefferson to David Humphreys, "From Thomas Jefferson to David Humphreys, 14 August 1787," August 14, 1787, Founders Online, National Archives, https://founders.archives.gov/documents/Jefferson/01-12-02-0037.

business in such a plain manner, as will make us conspicuous, and convince strangers, that we design to be firm in our government."[199] Jefferson heeded this charge. By adopting a "plain manner" without artifice or ceremony with the Merrys, he adhered to the "plain principles of republicanism." Furthermore, he modeled this conduct with "strangers" and proved the United States' commitment to republicanism to a foreign audience. With his institution of pêle mêle, Jefferson required foreign dignitaries in Washington to abide by republican principles, thus spreading the purifying power of republicanism abroad.

In the international order, Jefferson hoped to change the way nations and their representatives interacted with one another, removing the hierarchical distinctions among nations. The rules of diplomatic etiquette served as a manifestation of the inherently inegalitarian and aristocratic nature of the law of nations. By rejecting etiquette, as *The Cannons of Etiquette* asserted, pêle mêle ensured not just personal but also "national equality."[200] Under pêle mêle, just as no individual had a rank, no nation had a rank. The United States would no longer heed the European hierarchy of states and reinforce that hierarchy through diplomatic etiquette. And, of crucial importance, republics would no longer be required to yield precedency to monarchies. By instituting pêle mêle, Jefferson asserted that the United States, despite being a republic, stood on equal footing with the crowned powers of Europe. Refusing to grant the Merrys or Irujos precedent at dinner, Jefferson sent a clear message both diplomatically and domestically – "the principle of society with us, as well as of our political constitution, is the equal rights of all."[201]

By adopting pêle mêle, Jefferson rejected the European forms of hierarchy and distinction not just on his behalf but on behalf of the United States. The Merry Affair extended

[199] "For the Herald of Freedom."
[200] Jefferson, "II. Canons of Etiquette, 12 January 1804."
[201] Jefferson to Short, "From Thomas Jefferson to William Short, 23 January 1804," January 23, 1804.

the Jeffersonian quest for equality to the international stage. Rejecting the European hierarchy of states, Jefferson demanded respect for the United States not just as a sovereign nation but as an equal member of the community of civilized nations.

Conclusion

Extending his arm to Dolley Madison, Jefferson broke the script defining ceremonial diplomatic actions. In doing so, he sent a message to foreign powers that the United States was a sovereign republic. Choosing etiquette as his weapon of choice, Jefferson demanded the international community's respect for the United States and the democratization of the law of nations.

However, Jefferson only experienced limited success. During and in the immediate aftermath of the Affair, Britain refused to take Jefferson's bait and declined to make an official rebuke of its former colonist's slight.[202] The British continued to prey on American ships and impress American sailors. A hot war, not merely a social one, finally ended this practice a decade after the Merry Affair. Instead, Jefferson largely succeeded only in alienating the man best positioned to argued America's case to Great Britain.[203]

Domestically, pêle mêle produced more mixed results. It did leave the White House with Jefferson when his second term ended in 1809.[204] But, the new occupants of the White House, James and Dolley Madison, did not return to the European highly rigid forms of socializing. Instead, the Madisons located a median between the Old World's strict formality and Jefferson's complete disregard of etiquette. A consummate hostess, Dolley Madison hosted regular social events at the White House. In contrast to the European court's rigid formality Madison's

[202] Davis, "Pell-Mell," 525–26.
[203] Davis, 527.
[204] Davis, 527.

"squeezes" were informal and jovial affairs.[205] The Madisons did not fully embrace the radical egalitarianism of Jefferson's pêle mêle but they still represented a significant departure from European practices. Though pendulum may have swung back, it never returned to the pre-Jeffersonian position.

Jefferson and his fellow Republicans succeed in fostering a general aversion to etiquette in the United States long after the collapse of their party. Deep into the nineteenth century, American etiquette writers still struggled to displace the link between aristocracy and etiquette. As late as 1873, one etiquette writer complained that many Americans "seem to think that social ceremonies are so many frivolous affectations by which the wealthy or fashionable strive to raise themselves to a fictitious elevation above others, and consequently refuse all observance of them."[206] Jefferson would have been pleased.

More than a decade after the Merry Affair came to an end, Jefferson's assault on European diplomatic hierarchy won its most momentous international victory. In 1815, the Congress of Vienna agreed to a dramatic change in European diplomatic protocol. Spurred by a desire "to prevent in future the inconveniences which have frequently occurred, and which may still occur, from the claims of precedence, among the different diplomatic characters," the Congress of Vienna's new order proved more egalitarian.[207] Dividing "diplomatic characters" into three classes – Ambassadors, Envoys, and Chargé d'Affaires – the Congress of Vienna determined that "[d]iplomatic characters shall rank in their respective classes, according to the

[205] Fredrika J. Teute and David S. Shields, "Jefferson in Washington," *Journal of the Early Republic* 35, no. 2 (Summer 2015): 258, https://doi.org/10.1353/jer.2015.0024.
[206] Marina Coslovi, "Why Blondes Need Manners? 'Gentlemen Prefer Blondes' and the Uses of Etiquette," *South Atlantic Review* 76, no. 2 (2011): 109–10.
[207] T.C. Hansard, ed., "Treaty of Vienna, Act No. XVII - Regulation Concerning the Precedence of Diplomatic Agents.," in *The Parliamentary Debates from the Year 1803 to the Present Time*, vol. Vol. XXXII (London, 1816), 214, https://tinyurl.com/8tamctce.

date of the official notification of their arrival."[208] Unlike under pêle mêle, etiquette and hierarchy remained but they were no longer attached to the ranking of nations. Under this new system, the United States would no longer always be the "lowest of the diplomatic tribe" nor would republics always rank below monarchies. Finally, European courts would be forced to treat the United States and her sister republics the same as any other sovereign state.

To this day, the United States continues to follow this order of precedence and official American diplomatic protocol ranks foreign ambassadors "in order of presentation of credentials to the President of the United States."[209] Though the State Department credits this form to the Congress of Vienna, the true revolution took place much closer to home – in the White House dining room on December 2, 1803.

A study of the Merry Affair reveals one of the many struggles of creating a new nation – creating its own rules etiquette. To Jefferson and his contemporaries, their etiquette reflected who they were as a nation both domestically and internationally. With the Merry Affair and pêle mêle, Jefferson insisted on American sovereignty and attempted to spread the promise of the American Revolution to the international order.

[208] Hansard, 214.
[209] Ceremonials Division of the Office of the Chief of Protocol, "The Order of Precedence of the United States of America."