

GEORGE WASHINGTON'S PRECEDENT-SETTING PRESIDENCY

The *Merriam-Webster Dictionary* defines a **precedent** as “something done or said that may serve as an example or rule to authorize or justify a subsequent act.” We rely on precedents, especially in government, as a guide for what is expected and for examples of what to do. For example, the Supreme Court looks closely at precedent – previous laws and court rulings – to make informed decisions about cases they are hearing.

We know – because he said so – that George Washington clearly understood the decisions he made as President were important in establishing precedents for this new nation. In a letter to his colleague James Madison written May 5, 1789, Washington explained, “As the first of everything, in our situation, will serve to establish a Precedent, it is devoutly wished on my part, that these precedents may be fixed on true principles.” He also stated to English historian Catharine Macaulay Graham shortly after, “There is scarcely any part of my conduct which may not hereafter be drawn into precedent.”

There was a good reason for his feeling this way. He knew that there was no successful “model” republic or presidency for the nation, its founders, or its leaders to reference – which made the early days of the American republic equal parts uncertain and meaningful. With no example to follow, making the right decisions for the country was high stakes. To make things more challenging, Washington had been provided with little guidance about how to make the new government work. Members of the Constitutional Convention, who outlined the parameters of the new government, were confident that Washington would be the first president, so they left many presidential tasks undefined. Many had served with Washington since the early years of the Revolution and knew he was worthy of their full confidence. Historian Willard Sterne Randall observed, “No doubt no other president would have been entrusted with such latitude.” Washington knew he was in uncharted territory and was, therefore, particularly careful to consider his actions before doing anything that might establish a precedent for the country or Presidency.

The Cabinet

Washington assembled a Cabinet – a small group of advisors he had appointed – to head the government departments of Justice, War, Treasury, and State. According to the Constitution, the president could seek advice in decision-making from the Senate in special hearings or ask for written opinions from department secretaries. Washington tried to ask the Senate for advice once, but the senators were too intimidated by him to discuss the topic in front of him. Frustrated, Washington never tried that method again and, instead, began holding frequent, in-person meetings with heads of departments. This was similar to what he did in the Revolutionary War when he periodically called together his officers to discuss the course of the war. This unusual management style – something between the oversight of a prime minister and a monarch – enabled Washington to let his experts do their jobs while still giving him the ability to supervise their work.

Neutrality and Foreign Policy

Washington's Farewell Address contains clear, specific advice for the new nation to avoid foreign attachments or influence, with detailed reasons that explain why showing favoritism or hostility to other countries could hurt the United States. Washington himself followed this policy closely, though he faced a great deal of opposition. The French Revolution, which began in 1789 with many of the Enlightenment ideals of the American Revolution, had taken a radical turn. The King of France, Louis XVI, had been beheaded, and the Revolution's leaders declared war on Austria, Prussia, Spain, Holland, and Britain. The French government hoped to enlist the United States as an ally, but Washington felt that staying out of the conflict was best. His Neutrality Proclamation drew hostility from many Americans, who recalled the vital assistance that the French had provided against the British just a few years earlier. Washington remained steadily opposed to any alliance with the French, even against the British. Congress followed the Proclamation with the Neutrality Act, which formalized Washington's policy. This Act reinforced the constitutional role of the President in setting American foreign policy, one important precedent set by Washington. His model regarding "foreign entanglements" was a precedent largely followed until the US entered World War One, over one hundred years later.

Peaceful Transition of Power

If you have watched the musical *Hamilton*, you may remember King George singing about "George Washington yielding his power and stepping away" and that he was "unaware that was something a person could do." Giving up power willingly was uncommon for political leaders of the time. People from across the world watched skeptically as the time approached for the popular Washington to pass his authority to John Adams, his vice president and winner of the election of 1796. Americans, however, well remembered that Washington had symbolically ceded power to Congress at the end of the Revolution by presenting his sword to them as he resigned his commission as Commander of the Continental Army – indicating that he would not try to rule as a king or military dictator – and expected nothing less from Washington as he left the Presidency. This peaceful transition of power from one President to the next set an important model for the young United States and for the world.

Two Terms

Of the many precedents George Washington set, the most commonly remembered one is likely the two-term limit. The Constitution originally did not place a limit on the number of terms that a President could serve, leaving it to the American people to determine when they were ready for new leadership. However, Washington's choice to step aside in 1796 while he still had the support of an overwhelming majority of Americans was a bold one and one that all other presidents followed for nearly 150 years. In 1940, Franklin Roosevelt decided that it would be best for the country, which was on the brink of entering World War Two, to have consistent leadership; he chose to run for and was elected to a third term of office. While this may well have been the right choice for the country at the time, his action led Congress to make Washington's precedent into law. In 1947, Congress passed the 22nd Amendment, which permanently placed a limit of two terms for any President.