

## Activity One: One President or Three?

Student Name \_\_\_\_\_ Date \_\_\_\_\_

### Reading Set A. Delegates agree on the need for an Executive

1. [The Virginia Plan](http://www.yale.edu/lawweb/avalon/debates/529.htm) (introduced by Edmund Randolph, 29 May 1787)  
<http://www.yale.edu/lawweb/avalon/debates/529.htm>

7. Resd. that a National Executive be instituted; to be chosen by the National Legislature for the term of ----- years...and to be ineligible a second time; and that besides a general authority to execute the National laws, it ought to enjoy the Executive rights vested in Congress by the Confederation.

8. Resd. that the Executive and a convenient number of the National Judiciary, ought to compose a Council of revision with authority to examine every act of the National Legislature before it shall operate, & every act of a particular Legislature before a Negative thereon shall be final; and that the dissent of the said Council shall amount to a rejection, unless the Act of the National Legislature be again passed...by ----- of the members of each branch.

2. [The New Jersey Plan](http://www.yale.edu/lawweb/avalon/debates/615.htm) (introduced by William Paterson, 15 June 1787)  
<http://www.yale.edu/lawweb/avalon/debates/615.htm>

4. Resd. that the U. States in Congs. be authorized to elect a federal Executive to consist of ----- persons, to continue in office for the term of ----- years...to be incapable of holding any other office or appointment during their time of service and for ----- years thereafter; to be ineligible a second time, & removeable by Congs. on application by a majority of the Executives of the several States; that the Executives besides their general authority to execute the federal acts ought to appoint all federal officers not otherwise provided for, & to direct all military operations; provided that none of the persons composing the federal Executive shall on any occasion take command of any troops, so as personally to conduct any enterprise as General or in other capacity.

3. [The Hamilton Plan](http://www.yale.edu/lawweb/avalon/debates/618.htm) (introduced by Alexander Hamilton, 18 June 1787)  
<http://www.yale.edu/lawweb/avalon/debates/618.htm>

IV. The supreme Executive authority of the United States to be vested in a Governour to be elected to serve during good behaviour-the election to be made by Electors chosen by the people in the Election Districts aforesaid-The authorities & functions of the Executive to be as follows: to have a negative on all laws about to be passed, and the execution of all laws passed, to have the direction of war when authorized or begun; to have with the advice and approbation of the Senate the power of making all treaties; to have the sole appointment of the heads or chief officers of the departments of Finance, War and Foreign Affairs; to have the nomination of all other officers (Ambassadors to foreign Nations

included) subject to the approbation or rejection of the Senate; to have the power of pardoning all offences except Treason; which he shall not pardon without the approbation of the Senate.

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**Directions:** Read the documents that accompany Activity One Reading Set A and complete the following analysis sheet.

| <b>Elements</b>      | <b>Virginia Plan</b><br>Introd. by Edmund Randolph, 29 May 1787 | <b>New Jersey Plan</b><br>Introd. by William Paterson, 15 June 1787 | <b>Hamilton Plan</b><br>Introd. by Alexander Hamilton, 18 June 1787 |
|----------------------|---|---|---|
| How Many People?     |   |   |   |
| How Elected?         |   |   |   |
| Term Length          |   |   |   |
| Run for re-election? |   |   |   |

|                             |  |  |  |
|-----------------------------|--|--|--|
| General Powers              |  |  |  |
| Impeachable?<br>If so, how? |  |  |  |
| Veto Power                  |  |  |  |
| Appointment Power           |  |  |  |
| Add. Info                   |  |  |  |

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|-----------------------------|---|---|--|
| How Many People?            | One   | Undecided but more than one   | One  |
| How Elected?                | Chosen by the national legislature  | Chosen by Congress  | Electors chosen by the people in election districts  |
| Term Length                 | Undecided   | Undecided   | Serve during good behavior   |
| Run for re-election?        | Not eligible  | Not eligible  | Blank—good behavior could be for life  |
| General Powers              | Execute national laws/<br>Executive rights vested in Congress by the Articles   | Execute federal acts/<br>Direct all military operations   | Execution of all laws/<br>direction of war when authorized or begun/<br>make all treaties with approbation of the senate                                   |
| Impeachable?<br>If so, how? |   | Removable by Congress by a majority of the executives of the states   |  |
| Veto Power?                 | With a convenient number of the National judiciary, make up a Council of revision with authority to examine every act | Not mentioned, so not given   | A negative on all laws about to be passed  |
| Appointment Power?          | See Articles  | Appoint all federal officers not otherwise provided for   | Sole appointment power of the heads of Finance, War, and Foreign Affairs.<br>Can nominate other officers subject to approbation or rejection by the senate |
| Add. Info                   |   | Cannot hold any other office during time of service and for an undetermined time following/<br>None of the executives can directly command the troops as general or in any other capacity |  |

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### Reading Set B: How many Executives?

#### 1. Single executive most likely to possess “energy” (1 June 1787)

<http://www.yale.edu/lawweb/avalon/debates/601.htm>

The Committee of the whole proceeded to Resolution 7. "that a national Executive be instituted, to be chosen by the national Legislature-for the term of ----- years to be ineligible thereafter, to possess the executive powers of Congress."

Mr. PINKNEY was for a vigorous Executive but was afraid the Executive powers of the existing Congress might extend to peace & war, which would render the Executive a monarchy, of the worst kind, to wit an elective one.

Mr. WILSON moved that the Executive consist of a single person...

Mr. RUTLIDGE...He said he was for vesting the Executive power in a single person, tho' he was not for giving him the power of war and peace. A single man would feel the greatest responsibility and administer the public affairs best.

Mr. SHERMAN said he considered the Executive magistracy as nothing more than an institution for carrying the will of the Legislature into effect, that the person or persons ought to be appointed by and accountable to the Legislature only, which was the depositary of the supreme will of the Society. As they were the best judges of the business which ought to be done by the Executive department, and consequently of the number necessary from time to time for doing it, he wished the number might not be fixed but that the legislature should be at liberty to appoint one or more as experience might dictate.

Mr. WILSON preferred a single magistrate, as giving most energy dispatch and responsibility to the office...

Mr. RANDOLPH strenuously opposed a unity in the Executive magistracy. He regarded it as the foetus of monarchy...He could not see why the great requisites for the Executive department, vigor, despatch & responsibility could not be found in three men, as well as in one man. The Executive ought to be independent. It ought therefore in order to support its independence to consist of more than one.

Mr. WILSON said that unity in the Executive instead of being the fetus of monarchy would be the best safeguard against tyranny...

#### 2. Fears of a “monarchy” (2 June 1787)

<http://www.yale.edu/lawweb/avalon/debates/602.htm>

Mr. RUTLIDGE & Mr. C. PINKNEY moved that the blank for the no. of persons in the Executive be filled with the words "one person." He supposed the reasons to be so obvious & conclusive in favor of one that no member would oppose the motion.

Mr. RANDOLPH opposed it with great earnestness, declaring that he should not do justice to the Country which sent him if he were silently to suffer the establishmt. of a Unity in the Executive department. He felt an opposition to it which he believed he should continue to feel as long as he lived.

He urged 1. that the permanent temper of the people was adverse to the very semblance of Monarchy. 2. that a unity was unnecessary a plurality being equally competent to all the objects of the department. 3. that the necessary confidence would never be reposed in a single Magistrate. 4. that the appointments would generally be in favor of some inhabitant near the center of the Community, and consequently the remote parts would not be on an equal footing. He was in favor of three members of the Executive to be drawn from different portions of the Country.

Mr. BUTLER contended strongly for a single magistrate as most likely to answer the purpose of the remote parts. If one man should be appointed he would be responsible to the whole, and would be impartial to its interests. If three or more should be taken from as many districts, there would be a constant struggle for local advantages. In Military matters this would be particularly mischievous...

### 3. [Delegates agree on a single executive](http://www.yale.edu/lawweb/avalon/debates/604.htm) (4 June 1787) <http://www.yale.edu/lawweb/avalon/debates/604.htm>

The Question was resumed on motion of Mr. PINKNEY, "shall the blank for the number of the Executive be filled with a single person?"

Mr. WILSON was in favor of the motion. It had been opposed by the gentleman from Virga. [Mr. Randolph] but the arguments used had not convinced him. He observed that the objections of Mr. R. were levelled not so much agst. the measure itself, as agst. its unpopularity... On examination he could see no evidence of the alledged antipathy of the people. On the contrary he was persuaded that it does not exist. All know that a single magistrate is not a King. One fact has great weight with him. All the 13 States tho agreeing in scarce any other instance, agree in placing a single magistrate at the head of the Govern. The idea of three heads has taken place in none... In addition to his former reasons for preferring a unity, he would mention another. The tranquility not less than the vigor of the Govt. he thought would be favored by it. Among three equal members, he foresaw nothing but uncontroled, continued, & violent animosities; which would not only interrupt the public administration; but diffuse their poison thro' the other branches of Govt., thro' the States, and at length thro' the people at large...

Mr. SHERMAN. This matter is of great importance and ought to be well considered before it is determined. Mr. Wilson he said had observed that in each State a single magistrate was placed at the head of the Govt. It was so he admitted, and properly so, and he wished the same policy to prevail in the federal Govt. But then it should be also remarked that in all the States there was a Council of advice, without which the first magistrate could not act. A council he thought necessary to make the establishment acceptable to the people. Even in G. B. the King has a Council; and though he appoints it himself, its advice has its weight with him, and attracts the Confidence of the people...

Mr. GERRY was at a loss to discover the policy of three members for the Executive. It wd. be extremely inconvenient in many instances, particularly in military matters, whether relating to the militia, an army, or a navy. It would be a general with three heads.

On the question for a single Executive it was agreed to Massts. ay. Cont. ay. N. Y. no. Pena. ay. Del. no. Maryd. no. Virg. ay. Mr. R. & Mr. Blair no- Docr. Mc.Cg. Mr. M. & Gen W. ay. Col. Mason being no, but not in house, Mr. Wythe ay but gone home. N. C. ay. S. C. ay. Georga ay.

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**Directions:** Read the documents in Reading Set B and summarize the arguments posed by these delegates regarding whether to have one or more Executives.

Mr. Pinckney

Mr. Wilson

Mr. Rutledge

Mr. Sherman

Mr. Gerry

Mr. Randolph

Mr. Butler