

From VOA Learning English, welcome to the making of a nation, American history in Special English. I’m Steve Ember. This week in our series, we continue the story of the United States Constitution.

In May of 1787, a group of America's early leaders met in the city of Philadelphia, Pennsylvania. They planned to amend the Articles of Confederation. That document established a loose union of the 13 states. Instead, they wrote a completely new constitution. It created America's system of government and recognized the rights of its citizens.

Last week, we talked about the debate at the convention over the Virginia Plan. The plan was prepared by James Madison and other delegates from the state of Virginia. It described a national government with a supreme legislature, executive and judiciary. Some delegates feared that such a central government would take away power from the states. But in the end, They approved the proposal.



On June 1, they began debate on the issue of a national executive.

It seemed every delegate at the Philadelphia convention had something to say about the issue. They had been thinking about it for some time.

Almost every delegate was afraid to give the position extended powers. Almost no one wanted America's chief executive to become as powerful as a king. Still, many of the delegates had faith in the idea of a one-person executive. Others demanded an executive of three people.

James Wilson of Pennsylvania argued for a single executive. He said the position required energy and the ability to make decisions quickly. He said these would best be found in one person.

Edmund Randolph of Virginia disagreed strongly. He said he considered a one-person executive as "the fetus of monarchy."

John Dickinson of Delaware said he did not denounce the idea of having a government headed by a king. He said a monarchy was one of the best forms of government in the world. However, in America, he said, a king was "out of the question."



The debate over the size of the executive leadership lasted a long time. Finally, the delegates voted for a one-person executive.

The question of how to limit power was a major part of the delegates' conversation,

according to Supreme Court Justice Clarence Thomas.

"We're still talking about it. What are the limits of the national government? What is the role of the national government? How do we protect individual rights, individual liberties, et cetera?"

And, he says, that question continues to be asked in America today. During the debate at the convention, other questions about the national executive arose. One question was the executive's term. Should the executive serve just once or could that person be re-elected?

Alexander Hamilton argued for a long term of office. He said if a president served only a year or two, America soon would have many former presidents. These former presidents, he said, would fight for power. And that would be bad for the peace of the nation.

Benjamin Franklin argued for the right of re-election. The people, he said, were the rulers of a republic. And presidents were the servants of the people. If the people wanted to elect the same president again and again,

they had the right to do this.

In the final document, the president's term was set at four years with re-election permitted.



Next came the question of how to choose the president. It was a most difficult problem. The delegates debated and voted, and then re-debated and re-voted, on a number of proposals. James Wilson proposed that the executive be elected by special representatives of the people, called electors. Several delegates disagreed. They said the plan would be too difficult to carry out and would cost too much money.

One delegate proposed that the president be elected by the state governors. He said the governors of large states would have more votes than the governors of small states. Nobody liked this proposal, especially delegates from the small states.

Another proposal was to have the president elected directly by the people. Elbridge Gerry of Massachusetts was shocked by this idea.

The people do not understand these things, he said. A few dishonest men can easily fool the people. The worst way to choose a president, he said, would be to have him elected by the people.

The convention voted on the issue 60 times. In the end, the delegates agreed that the president should be chosen by electors named by state legislatures.

Now, someone said, we have decided how to choose the president. But what are we to do if he does bad things after being chosen? We should have some way of dismissing that person.

Yes, the delegates agreed. It should be possible to try the president, and if he is found guilty, remove him from office.

Gouverneur Morris of Pennsylvania spoke in support of the right of impeachment, should the president be persuaded to betray his trust.

The delegates approved a proposal for removing a president found guilty of

bribery, treason or other high crimes.

The last major question about executive authority was the question of veto power over the national legislature.

Not one delegate was willing to give the president complete power to reject new laws. And yet they felt he should have some voice in the lawmaking process. If this were not done, they said, the office of president would have little meaning. And the national legislature would have the power of a dictator.

James Madison offered a solution.



The president should have the power to veto a law, Madison said. But his veto could be overturned if most of the members of the legislature voted to pass the law again.

The final convention document listed more details about the office. For example, it said the president had to be a "natural born citizen" of the United States or a citizen at the time the Constitution was adopted. The president must have lived in the United States for at least 14 years and be at least 35

years old.

The executive would be paid. But the pay could not be increased or reduced during the term in office. The president would be commander-in-chief of the armed forces and, from time to time, report to the legislature on the state of the Union.

The final document also gave the words by which a president would be sworn-in. Every four years -- for more than 200 years now -- each president has repeated this oath of office:

"I do solemnly swear ... that I will faithfully execute the Office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States."

Another major issue debated by the convention was a national judiciary, a federal system of courts and judges.

The delegates knew a lot about the issue. Thirty-four of them were lawyers. Eight were judges in their home states

One question hung heavy in the air. The states had their own courts and judges. Did the national government need its own system, too?

Several delegates said no. Roger Sherman of Connecticut said existing state courts were enough. Besides, he said, a system of national courts would be too costly.

John Rutledge of South Carolina opposed a national system of lower courts. But he argued for a Supreme Court.

Eventually, the convention voted for both. There would be a Supreme Court and a system of lower courts. These courts would hear cases involving national laws, the rights of American citizens, and wrongdoing by foreign citizens in the United States.

State courts would continue to hear cases involving state laws.

The next question concerned the appointment of national judges.

Some delegates believed judges should be appointed by the legislature. Others believed they should be appointed by the president.

James Wilson argued in support of having one person appoint judges. He

said experience showed that large bodies could not make appointments fairly or openly.

John Rutledge disagreed strongly. By no means, he said, should the president appoint judges. He said that method looked too much like monarchy.

Benjamin Franklin then told a funny little story. In Scotland, he said, he understood that judges were appointed by lawyers. They always chose the very best lawyer to be a judge. Then they divided that person's cases among themselves.

The delegates voted on the issue. They agreed that the legislature could decide how many judges would sit on the Supreme Court. The president would appoint the judges. The legislature could establish lower courts from time to time. The president would appoint those judges, too.

The issues involving the executive and the federal courts were serious questions that most delegates felt strongly about. But the most hotly debated issue of the convention was still to come. Would small states and large states have an equal voice in the central government? That will be our story next week.

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