**CREATING PRESIDENTIAL POWERS**

The delegates to the Constitutional Convention of 1787 gave surprisingly little attention to the executive branch of government.  In contrast to the long debates over the powers of Congress, the powers of the president were defined fairly quickly and without much discussion.

In Article II of the new Constitution, the framers offered the world something entirely new: a chief executive whose power came from the people rather than heredity or force.  The Constitution, however, provides little hint that the president would become as power as he has in modern times.  The framers obviously assumed that the legislative branch would be much more influential.

Over the nation's long history, power has flowed increasingly to the Executive Branch.

HISTORY OF THE DEBATE OVER THE EXECUTIVE

During the last two weeks of the Federal Convention of 1787, delegates found themselves perplexed by who should rule over a newly created nation?

They had been meeting together in the Pennsylvania State House for a week, and their time had not been wasted. The delegates were almost at full strength — forty-three men from eleven states — and they were working their way down the list of proposals suggested by Edmund Randolph, governor of Virginia. Having dwelled at some length on the first six items, which focused on the structure and purpose of a new national legislature, they set out to tackle the seventh.

James Madison, who would chronicle this and every other moment for more than three months, recorded in his notes what happened next:

*FRIDAY JUNE 1st 1787: The Committee of the whole proceeded to Resolution 7th “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””*

*The first speaker to the resolution, Charles Pinckney of South Carolina, said he favored a “vigorous Executive,” but not with powers that extended “to peace & war.” That, he feared, “would render the Executive a monarchy, of the worst kind,.” Other delegates no doubt shared this concern, yet before addressing what executive powers might be, they took up one essential question that was on all their minds.*

*“James Wilson moved that the Executive consist of a single person.” Charles Cotesworth Pinckney, Charles’s cousin, seconded and clarified the motion — “National Executive,” he said.*

*Then there was silence. For the first and only time during the Federal Convention of 1787, not one statesman ventured even a passing comment.*

*Gouverneur Morris, the flamboyant, peg-legged orator who spoke more than anyone else at the convention and had a particular fascination with the executive office. Morris was never at a loss for words — except this once.*

*James Wilson, perhaps the sharpest legal mind in the room, who gave more speeches than anyone but Morris. Wilson undoubtedly hoped someone else would step forth to support his motion, but nobody did.*

Six weeks earlier, before the convention, Madison had outlined his broad plan of government to his friend George Washington. The national legislature should have supreme power over the states, Madison stated boldly, and it should be composed of two branches.

Roger Sherman, Elbridge Gerry, and George Mason, also said nothing. Sherman, a veteran of the drafting committees for both the Declaration of Independence and the Articles of Confederation, undoubtedly had some ideas on the matter, but he didn’t wish to share them just yet. Neither did Gerry Mason, Washington’s neighbor and intellectual mentor. All these great orators held their tongues.

Even Alexander Hamilton, who would soon hold the floor for an entire day and who would suggest at that time that a single executive serve for life, opted at this moment not to say what he really thought.

Two of the three superstars in the room, George Washington and Robert Morris, also remained silent.

It fell to the oldest and wisest among them, Benjamin Franklin, to end the eerie quiet.

*A considerable pause ensuing and the Chairman asking if he should put the question, Doctor FRANKLIN observed that it was a point of great importance and wished that the gentlemen would deliver their sentiments on it before the question was put.*

“A point of great importance” — that was precisely the problem. Eleven years earlier, the United States of America had made a great to-do about rejecting the British monarch, in principle as well as in person. The new nation had founded its very existence with the principle that people can and must rule themselves, free and clear of any king or queen, so how could they now place one man above all the rest, in charge of executing the myriad affairs of government?

Yet most delegates believed their national government, which currently lacked an executive branch, had proved too weak. Americans should be more realistic, they felt, or the new nation might not survive.

To explore their dilemma and its full implications, let us transport ourselves to that time and place, June 1, 1787, the Assembly Room of the State House in Philadelphia, with James Wilson’s motion to create a one-man national executive suspended in the air, unsupported but also unchallenged, and as yet poorly defined. Let us savor that moment of indecision.

* Would this really be such a good idea?
* Did the prospects for efficiency outweigh the dangers?
* Would the people that had pushed the Revolution forward — ever allow a single person to rule?