Presidential Selection: The Framers' Plan

Section Preview

Objectives

1. Explain the Framers’ original provisions for choosing the President.
2. Outline how the rise of political parties changed the original process set out in the Constitution.

Why It Matters

Selecting the President is a complex process that many Americans do not fully grasp. Understanding the Framers’ plan for choosing the President will help you understand this complicated process.

Political Dictionary

* presidential electors
* electoral votes
* electoral college

In formal terms, the President is chosen according to the provisions of the Constitution. In practice, however, the President is elected through an altogether extraordinary process that is not very well understood by most Americans. That process is a combination of constitutional provisions, State and federal laws, and, in largest measure, a number of practices born of the nation’s political parties. To make sense of this very complex system, you must first understand what the Framers had in mind when they designed the presidential election process.

Original Provisions

The Framers gave more time to the method for choosing the President than to any other matter. It was, said James Wilson of Pennsylvania, “the most difficult of all on which we have had to decide.” The difficulty arose largely because most of the Framers were against selecting the President by either of the obvious ways: by Congress or by a direct vote of the people.

Early in the Convention, most of the delegates favored selection by Congress. Later, nearly all delegates came to believe that congressional selection would, as Alexander Hamilton said, put the President “too much under the legislative thumb.”

Only a few of the Framers favored choosing the President by popular vote. Nearly all agreed that such a process would lead to “tumult and disorder.” Most delegates felt, too, that the people, scattered over so wide an area, could not possibly know enough about the available candidates to make wise, informed choices. George Mason of Virginia spoke for most of his colleagues at the convention: “The extent of the Country renders it impossible that the people can have the requisite capacity to judge of the respective pretensions of the Candidates.”

After weeks of debate, the Framers finally agreed on a plan first put forward by Hamilton. Under it, the President and Vice President were to be chosen by a special body of presidential electors. These electors would each cast two electoral votes, each for a different candidate. The candidate with the most votes would become President. The person with the second

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15The Constitution deals with the process of presidential selection in several places: Article II, Section 1, Clauses 2, 3, and 4, and the 12th, 20th, and 23rd Amendments.
The Framers’ Plan for the Electoral College

1. Each State would have as many presidential electors as it has senators and representatives in Congress.
2. These electors would be chosen in each State in a manner the State legislature directed.
3. The electors, meeting in their own States, would each cast two votes—each for a different person for President.
4. These electoral votes from the States would be opened and counted before a joint session of Congress.
5. The person receiving the largest number of electoral votes, provided that total was a majority of all the electors, would become President.
6. The person with the second highest number of electoral votes would become Vice President.
7. If a tie occurred, or if no one received the votes of a majority of the electors, the President would be chosen by the House of Representatives, voting by States.
8. If a tie occurred for the second spot, the Vice President would be chosen by the Senate.

The Rise of Parties

The electoral college, then, is the group of people (electors) chosen from each State and the District of Columbia to formally select the President and Vice President. The original version of the electoral college worked as the Framers intended only as long as George Washington was willing to seek and hold the presidency. He did so twice, and was unanimously elected President, in 1789 and again in 1792.

Flaws began to appear in the system in 1796, however, with the rise of political parties. John Adams, the Federalist candidate, was elected to the presidency. Thomas Jefferson, an arch-rival and Democratic-Republican, lost to Adams by just three votes in the electoral balloting. Jefferson then became Adams’ Vice President.

The Election of 1800

The system broke down in the election of 1800. By then there were two well-defined parties: the Federalists, led by Adams and Hamilton, and the Democratic-Republicans, headed by Jefferson. Each of these parties nominated presidential and vice-presidential candidates. They also nominated candidates to serve as presidential electors in the several States. Those elector-candidates were picked with the clear understanding that, if elected, they would vote for their party’s presidential and vice-presidential nominees.

Interpreting Charts

Interpreting Charts The Framers’ Plan for the electoral college provided for a group of presidential electors to choose the President. How was the Vice President to be chosen?

most votes would become Vice President. The chart above details the Framers’ plan.16

The Framers intended the electors to be “the most enlightened and respectable citizens” from each State. They were to be “free agents” in choosing the people best qualified to fill the nation’s two highest offices.

Interpreting Charts After the elections of 1789 and 1792, the Framers’ plan for the electoral college broke down. How did the election of 1800 show the need for the 12th Amendment?
Each of the 73 Democratic-Republicans who won posts as electors voted for his party's nominees: Jefferson and Aaron Burr. In doing so, they produced a tie for the presidency. Remember that the Constitution gave each elector two votes, each to be cast for a different person, but each to be cast for someone as President. Popular opinion clearly favored Jefferson for the presidency, and the party had intended Burr for the vice presidency. Still, the House of Representatives had to take 36 separate ballots before it finally chose Jefferson.

The spectacular election of 1800 marked the introduction of three new elements into the process of selecting a President: (1) party nominations for the presidency and vice presidency, (2) the nomination of candidates for presidential electors pledged to vote for their party's presidential ticket, and (3) the automatic casting of the electoral votes in line with those pledges. Gone forever was the notion that the electors would act as "free agents" in the process.

The 12th Amendment

The election of 1800 produced another notable result: the 12th Amendment. This amendment was added to the Constitution in 1804 to make certain there would never be another such fiasco. The amendment is lengthy, but it made only one major change in the electoral college system. It separated the presidential and vice-presidential elections: "The Electors . . . shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President."17 With the appearance of parties, the election of 1800, and the 12th Amendment, the constitutional framework was laid for the presidential selection system as it exists today. That system is, indeed, a far cry from what was agreed to in 1787, as you will see in the sections ahead.

17Not only does the amendment mean there cannot be a repeat of the circumstances that produced a tie in 1800, it almost certainly guarantees that the President and Vice President will be of the same party.

Interpreting Maps The election of 1800 was decided only after 36 ballots in the House of Representatives. How does the map show the political divisions in the country in 1800?

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