



Twelfth Amendment: Worksheet

Delaware's Resolution: Read the passage below from the Delaware General Assembly. Then consider Delaware's resolution and answer the questions that follow.

Resolution Rejecting the 12th Amendment (1804)

First, Because at all times innovations of the Constitution are dangerous, but more especially when the changes are dictated by party spirit, are designed for temporary purposes, and calculated to accomplish personal views.

Second, Because as representatives of a small state, we are sensible that in the nature of things, every change in the Constitution will be in favor of the large states who will never be disposed to allow, and will always have the means to prevent a variation favorable to the interests of the small states.

Third, Because in fact, the proposed amendment does reduce the power and weight of the small states, in the case provided by the Constitution, for the choice of President by the House of Representatives, by limiting the selection to three instead of five candidates, having the greatest number of electoral votes.

Fourth, Because the present mode of election gives to the small states a control and weight in the election for President and Vice-President, which are destroyed by the contemplated amendment.

Fifth, Because it is the true and permanent interest of a free people, among whom the relations of majority and minority must ever be fluctuating, to maintain the just weight and respectability of the minority by every proper provision, not impeaching the principle that the majority ought to govern; and we consider the present mode of election as calculated to repress the natural intolerance of a majority, and to secure some consideration and forbearance in relation to the minority.

Sixth, Because we view the existing provision in the Constitution as among the wisest of its regulations. History furnishes many examples of nations and particularly of republics, in their delirious devotion to individuals being ready to sacrifice their liberties and their dearest rights to the personal aggrandizement of their idol. The existing regulation furnishes some check to this human infirmity, by the occasional power given to a few to negative the will of the majority, as to one man, leaving them every other qualified citizen in the country for the range of their selection.



1. For each paragraph of the resolution, come up with one sentence in your own words that describes what the state legislature is trying to claim.

First Paragraph:

Second Paragraph:

Third Paragraph:

Fourth Paragraph:

Fifth Paragraph:

Sixth Paragraph:

2. Why does Delaware believe that the Twelfth Amendment threatens the power of small states? Why do they prefer the original Electoral College system?
3. Do you think this belief is justified? Explain.