Using your existing background knowledge and the information provided in the DBQ documents, write a letter to Congress taking a stance on whether presidential term limits should be constitutionally limited. Be sure to answer the DBQ question in your letter!

Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?
The Twenty Second Amendment and Presidential Tenure

Amy Coombs

The twenty-second amendment to the United States Constitution states that “no person shall be elected to the office of President more than twice....” The amendment was passed in February of 1951, shortly after the death of President Franklin D. Roosevelt who had broached the “two-term” tradition set by George Washington by running for, and winning, an unprecedented third and fourth term in office. While no binding law had been passed limiting presidential tenure prior to Roosevelt’s reign, many frowned upon the fact that he had broken a long standing custom and the end result was a limit on presidential service to those seeking the Oval Office in the future.

While Franklin Roosevelt put a spot light on the issue of the length of presidential service in the 1940’s, the issue dates back to the Constitutional Convention in Philadelphia in the spring and fall of 1787. Fearing a strong executive branch after living under the rule of King George III for so many years and having experienced the tyranny of an excessively strong executive first hand, the office of President and the executive branch was subject to much scrutiny. Concerns regarding the possible abuse of power of the executive or of reverting back to an oppressive monarchy led the framers of the Constitution to debate endlessly on two fundamental questions regarding presidential tenure, the first dealing with the length of a presidential term and the second dealing with re-eligibility.

The length of a presidential term was finally set at four year intervals, but not without considerable debate. The fear that a monarchy or dictatorship might emerge from the executive branch was strong and this fear prompted many of the framers to support short terms of one to two years with the possibility of re-election. Others believed that a longer term (with a few proposals of up to twenty years) was needed in order to “guarantee the stability” of the executive

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1 Thomas H. Neale, Presidential Terms and Tenure: Perspectives and Proposals for Change, pg 1-2, Congressional Research Service, 2009
branch. However, most of those in favor of a longer presidential term were against the idea of re-eligibility.

The issue of whether or not a president would be eligible for more than one term was eventually settled because of George Washington. Many of the framers knew that Washington would certainly be the first President of the United States, and because of his history of “renouncing the powers entrusted to him once a crisis has passed,” many felt that to limit his time in office would be unnecessary and detrimental to the newly founded country.

As was expected, George Washington was unanimously elected to be the first president of the United States and served two full terms in office before voluntarily retiring from the position. Ironically, while credited with establishing the two term tradition that so many presidents after him followed, it may have never been his intention to limit presidential service to only eight years. Washington’s retirement was based on many factors, including his advancing age and desire to return to his private life at Mount Vernon as was stated in his farewell address when he declared. “…every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome.” No proof exists to show that Washington was attempting to make a political statement about continued presidential service being harmful to the country.

Although many of the early presidents followed the example unintentionally set by George Washington, there were presidents prior to Franklin Roosevelt that either contemplated or even attempted a third term in office but that were unsuccessful in their bid for re-election.

The earliest example of a president pondering a third term was Ulysses S. Grant in the late 1870’s. However, due to the “scandal and corruption that plagued his second term in office,” the idea was met with public resistance.

Theodore Roosevelt also attempted a third term as president of the United States. Roosevelt was thrust into the presidency after the assassination of President William McKinley. He finished out McKinley’s term in office and then ran for re-election to a second term. Upon finishing his second term, Roosevelt stepped aside and endorsed William Taft who won the

3 Thomas H. Neale, Presidential Terms and Tenure: Perspectives and Proposals for Change, pg 2, Congressional Research Service, 2009
ensuing election. However, unhappy with the Taft Administrations actions in office, Roosevelt put his hat in the ring for the election of 1912 as a third party candidate. Roosevelt defended the move by claiming he never received his two full terms in office as he was only officially elected president once. Regardless, he lost the bid for re-election to Woodrow Wilson hence keeping the two term tradition intact.

Franklin D. Roosevelt’s election to a third term in 1940 ended the two-term tradition of presidential service. FDR had stated on numerous occasions prior to the 1940 election that he would “happily” retire after serving out his second term. However, FDR claimed that “the national good and the international scene had forced his hand” in running for a record third term and, eventually, fourth term in office.

A few years after the death of Franklin Roosevelt in 1945, the republicans in Congress proposed an amendment to limit presidential tenure to two four year terms or one six year term. Democrats opposed the proposed amendment and argued that such a change to the Constitution would ultimately limit the power of the people to decide who should fill the presidency. Republicans responded that the lack of such a safeguard could “promote apathy, corruption, and the danger ultimately of dictatorship.” The Republicans won the battle over the issue of constitutionally limiting presidential tenure to two four year terms with the ratification of the 22nd amendment on February 27th, 1951.

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Answer the following questions using the following documents:

Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

SOURCE #1: POLITICAL CARTOON, “THE KING CAN DO NO WRONG”

Document Note: Created in 1940 by an unknown artist. Keep in mind that the 22nd Amendment was not passed until after FDR’s presidency. The reference to him “cancelling” the Constitution is likely referring to his attempt to pack the Supreme Court, not running for a third term.

Source: Princeton University’s Firestone Library, Courtesy of Mudd Manuscript Library, Political Cartoon Collection
Answer the following questions using the following documents:

Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

**SOURCE #1: POLITICAL CARTOON, “THE KING CAN DO NO WRONG”**

1. Who is portrayed in this particular cartoon?

2. How is the character in the cartoon dressed? What is he doing?

3. Why do you think that the character is portrayed as a king? What background knowledge do you have to support this conclusion?

4. Why do you believe that “Cancelled, F.D.R” is written across the Constitution?

5. Examine the following quotes by Patrick Henry. How does the content of the cartoon play on the fears of some of the founding fathers, including Patrick Henry? Explain.
   - “Your President may easily become king...Where are your checks in this government?”
   - “If your American chief be a man of ambition and abilities, how easy is it for him to render himself absolute!”
   - “Away with your President! we shall have a king: the army will salute him monarch: your militia will leave you, and assist in making him king, and fight against you: and what have you to oppose this force?”

6. At the time that this cartoon was created, there were no constitutional limitations on how many terms a president could serve? Why do you think that FDR was vilified for running for a 3rd and 4th term of office?
With a positive duration of considerable extent, I connect the circumstance of re-eligibility. The first is necessary to give to the officer himself the inclination and the resolution to act his part well, and to the community time and leisure to observe the tendency of his measures, and thence to form an experimental estimate of their merits. The last is necessary to enable the people, when they see reason to approve of his conduct, to continue him in his station, in order to prolong the utility of his talents and virtues, and to secure to the government the advantage of permanency in a wise system of administration.

One ill effect of the exclusion would be a diminution of the inducements to good behavior. There are few men who would not feel much less zeal in the discharge of a duty when they were conscious that the advantages of the station with which it was connected must be relinquished at a determinate period, than when they were permitted to entertain a hope of obtaining, by meriting, a continuance of them. This position will not be disputed so long as it is admitted that the desire of reward is one of the strongest incentives of human conduct; or that the best security for the fidelity of mankind is to make their interests coincide with their duty. Even the love of fame, the ruling passion of the noblest minds, which would prompt a man to plan and undertake extensive and arduous enterprises for the public benefit, requiring considerable time to mature and perfect them, if he could flatter himself with the prospect of being allowed to finish what he had begun, would, on the contrary, deter him from the undertaking, when he foresaw that he must quit the scene before he could accomplish the work, and must commit that, together with his own reputation, to hands which might be unequal or unfriendly to the task. The most to be expected from the generality of men, in such a situation, is the negative merit of not doing harm, instead of the positive merit of doing good.

Source: Federalist Paper No. 72, Alexander Hamilton
Answer the following question using the following documents:

Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

SOURCE #2: FEDERALIST PAPER No. 72

1. Federalist Paper No. 72 deals with the issue of “re-eligibility” of the chief magistrate (president). Explain in your own words what this means?

2. Hamilton states, “The last is necessary to enable the people, when they see reason to approve his conduct, to continue him in his station....” What is Hamilton arguing?

3. Hamilton argues that a president might “be unequal or unfriendly to the task” of carrying out his work if not given the time in office to actually finish it. Do you agree or disagree? Why?

4. Describe what you think Hamilton’s position on term limits for the president is after reading this piece?

5. Examine the follow excerpt from the document, “…so long as it is admitted that the desire of reward is one of the strongest incentives of human conduct.”

   A. What does this mean?

   B. How do you think that this statement supports Hamilton’s opinion about presidential term limits?
Answer the following questions using the following documents:

Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

SOURCE #3: EISENHOWER AS A LAME DUCK / LAME DUCK CARTOON

Vocabulary:
- pessimists – someone who always sees the negative side of things or expects the worst outcome
- unprecedented – something that has not been done before or happened before
- wielded – exert power or authority

Document Note: The term “lame duck” is used to describe a politician that is nearing the end of their term of office and is either not eligible for or not seeking re-election. Some believe that politicians in this situation have little power or influence over policy during this period.

“Pessimists had predicted that Eisenhower would be a seriously crippled “lame duck” during his second term, owing to the barrier against reelection erected by the Twenty-second Amendment, ratified in 1951. In truth, he displayed more vigor, more political know how, and more aggressive leadership during his last two years as president than ever before. For an unprecedented six years, from 1955-1961, Congress remained in Democratic hands, yet Eisenhower exerted unusual control over the legislative branch. He wielded the veto 169 times, and only twice was his nay overridden by the required two-third vote.”


Source: Artist, Mike Luckovich
Do the constitutional term limits for president set by the 22\textsuperscript{nd} Amendment violate the concept of democracy?

**SOURCE #3: EISENHOWER AS A LAME DUCK AND CARTOON**

1. According the reading some feared that after the passage of the 22\textsuperscript{nd} amendment, Eisenhower (or any president) would be a “crippled lame duck” during their second term. What does it mean to be a “lame duck?” Explain in your own words.

2. According to the reading, was Eisenhower considered a “lame duck” president during his second term? Why or why not?

3. Who do you believe is the president portrayed in the cartoon?

4. Based on the content of the cartoon, do you think that this president was a lame duck?

5. Do you believe that there is a connection between becoming a “lame duck” president and a decline in presidential popularity among the public?

6. Do you believe that the “lame duck” argument is a valid claim against presidential term limits? Why or why not?
Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

**SOURCE #4: POLITICAL CARTOON, UNTITLED (ANTI-THIRD TERM PRINCIPLE)**

*Document Note:* This cartoon satirizes Theodore Roosevelt's reversal of his anti-third term promise during the election of 1912. After his victory in the 1904 election, President Theodore Roosevelt promised that although his first term had lasted only three years (beginning after the assassination of President William McKinley in 1901), he would adhere to the two-term precedent established by George Washington. Yet by 1912, convinced that only his progressive leadership would save the Republican party, Roosevelt announced his candidacy. Roosevelt contended that he had only promised to refuse a third consecutive term.

*Source:* Untitled. [Anti-Third Term Principle], 10/01/1912 (ARC Identifier: 306175); Series: Berryman Political Cartoon Collection, 1896 - 1949; Records of the U.S. Senate, 1789 - 2005; Record Group 46; National Archives.
Answer the following question using the following documents:

Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

**SOURCE #4: POLITICAL CARTOON, UNTITLED (ANTI-THIRD TERM PRINCIPLE)**

1. Name the two presidents portrayed in the cartoon.

2. Who is the white ghost supposed to represent? Why?

3. What does the term “precedent” mean?

4. How did George Washington set an example regarding presidential term limits?

5. Why is the ghost upset with the other president in the cartoon?

6. Explain the significance of the sign that says “My Policies, My Platforms, My Issues?” (Refer to writing on the ghost president.)

7. What position does this cartoon favor regarding the 22nd amendment?
Answer the following questions using the following documents:

Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

SOURCE #5: INTERVIEW WITH FORMER PRESIDENT CLINTON TRANSCRIPTS AND WRITE-UP

Vocabulary:
- Non-consecutive – not in a row, not in order
- Impeach – to formally charge a federal official with a crime

Document Note: Former President Clinton participated in an interview with former Congressman Joe Scarborough on a morning talk show called “Morning Joe” where he discussed the constitutional limits restricting the number of terms a president may serve to two. This is an article written about the interview with actual excerpts of what was said by Clinton and Scarborough.

Bill Clinton was on 'Morning Joe' (weekdays, 6 AM ET on MSNBC) Thursday. The fact that Joe Scarborough, in his former life as a Congressman, voted to impeach Clinton, made things a bit awkward. But Scarborough made up for it with a bunch of flattering questions, like this one:

"Doesn't it make sense for the country to say OK, let a guy serve for eight years, then they can take a term or two off. But then if they have something to give back to America in terms of leadership, give them that opportunity."

"That's what I believe the rule should be," Clinton agreed. "With life expectancy being so long, and people being so alert into their 70s and sometimes their 80's, I think there's an argument for that."

To be fair, Clinton did follow that up by clarifying if we were to change the Constitution and allow a third, non-consecutive term, the rule change shouldn't apply to current term-limited presidents, like himself.

However, we think he was just saying that so the ever effusive Scarborough would disagree and tell everybody how great it would be if Clinton was allowed to be president again. (Which he didn't do.)

Source: Morning Joe, MSNBC
Answer the following questions using the following documents:

Do the constitutional term limits for president set by the 22\textsuperscript{nd} Amendment violate the concept of democracy?

\textbf{SOURCE #5: INTERVIEW WITH FORMER PRESIDENT CLINTON TRANSCRIPTS AND WRITE-UP}

1. How does former President Clinton feel about term limits?

2. What changes does former President Clinton wish to make to term limits?

3. Do you believe that former President Clinton’s argument is legitimate?

4. Clinton argues that a former president may still have something to offer to America. Should Americans, as part of a Democratic Republic, be allowed to make that choice?
REAGAN WANTS END OF TWO-TERM LIMIT

By IRVIN MOLOTSKY, Special to the New York Times
Published: November 29, 1987

WASHINGTON, Nov. 28 — President Reagan says that after leaving office he "would like to start a movement" to repeal the constitutional amendment that limits Presidents to two terms.

Mr. Reagan, in a restatement of a past position, said the limitation interfered with the right of the people to "vote for someone as often as they want to do."

The President discussed the amendment and other issues in a television interview conducted by the British personality David Frost that is to be broadcast this weekend along with discussions with two former Presidents, Jimmy Carter and Gerald R. Ford. The program is to be followed in later weeks with interviews with candidates now seeking the Presidency.

Whether Mr. Reagan will campaign actively to repeal the amendment remains to be seen. He has declared strong support for two proposed constitutional amendments, one to allow states to bar abortions and the other to prohibit Federal deficits, but has not worked for their passage. Not a Top Priority

Source: New York Times, Irvin Molotsky
Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

SOURCE #6: NEW YORK TIMES ARTICLE, REAGAN AND THE 22ND AMENDMENT

1. How does President Reagan feel about term limits?

2. How does Reagan’s feelings about term limits compare to Clinton’s?

3. Reagan claims that term limits interferes with the right of people to vote for who they want. Do you agree or disagree?

4. Do you think that President Clinton’s and President Reagan’s views on term limits are shaped by a desire to stay in the White House for more than two terms?

5. Both Clinton and Reagan were popular presidents with the public. Do you think that they could have run and been elected to a third term had the 22nd Amendment not existed? Should they have?

6. Early presidents from the 19th century tended to favor a two term limit, while presidents from the 20th century seems to be in favor of allowing presidents to serve more than two terms. Why do you think the views on this matter have changed?
Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

**SOURCE #7: ANDREW JACKSON’S LETTER TO CONGRESS**

**Vocabulary:**
- Continuance – referring to long periods of time; multiple terms
- Integrity – truth; honesty

**Document Note:** Throughout Jackson’s time in office, he often proposed to Congress that an amendment be created limiting a president’s time in office. During his first term in office, he addressed the topic in every State of the Union address he made.

The duties of all public officers are...so plain and simple that men of intelligence may readily qualify themselves for their performance; and I...believe that more is lost by the long continuance of men in office than is generally to be gained by their experience. I submit, therefore, to your consideration whether the efficiency of the government would not be promoted ...and integrity better secured by a general extension of the law which limits appointments to four years. In a country where offices are created solely for the benefit of the people, no one man has more...right to official station than another. Offices were not established to give support to particular men at the public expense. No individual wrong is, therefore, done by removal, since neither appointment to nor continuance in office is a matter of right.

**Source:** Senate Documents, 21st Congress, 1829-1830
Answer the following questions using the following documents:

Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

SOURCE #7: ANDREW JACKSON’S LETTER TO CONGRESS

1. How does Jackson describe the “duties of public officers?”
2. How does Jackson think about “long continuance” in office?
3. What is Jackson proposing to Congress in his letter?
4. Do you agree with Jackson’s statement about “continuance in office” possibly causing more harm than good? Why or why not?
5. How does Jackson’s opinion on term limits compare with that of presidents Reagan and Clinton?
6. Why do you think that President Jackson fought so adamantly about limiting presidential term limits? Does he have anything to gain? Lose?
My opinion originally was that the president of the U.S. should have been elected for seven years and be forever ineligible afterwards. I have since become sensible that seven years is too long to be irremovable, and that there should be a peaceable way of withdrawing a man in midway who is wrongdoing. The service for eight years with a power to remove at the end of the first four comes nearly to my principle as corrected by experience.

...The danger is that the indulgence and attachments of the people will keep a man in the chair after he becomes a dotard, that re-election though life shall become habitual, and election for life shall follow that. General Washington set the example of voluntary retirement after eight years. I shall follow it, and a few more precedents will oppose the obstacle of habit to any one after a while who shall endeavor to extend his term. Perhaps it may beget a disposition to establish it by amendment of the Constitution.

Source: Constitutional Amendments: 1789 to the Present, Kris E. Palmer
Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

SOURCE #8: PRESIDENT JEFFERSON’S THOUGHTS ABOUT TERM LIMITS

1. What was Jefferson’s original opinion about term limits?

2. What does Jefferson say about a seven year term limit? Do you agree or disagree? Why?

3. Jefferson states “the danger is that the indulgence and attachments of the people will keep a man in the chair after he becomes a dotard” and that “re-election through life shall become habitual.” Do you agree or disagree with this statement? Why?

4. Jefferson once claimed that “the lack of limits on presidential terms as one of the two worst defects of the Constitution (with the other being the lack of a Bill of Rights).” Do you agree or disagree with this statement? Why or why not?

5. Jefferson was the first president to follow Washington’s example of voluntary retirement after two terms, a tradition that most presidents after him willingly followed. Do you believe that the “two-term tradition” should have simply remained a tradition rather than a law? Why or why not?
Do the constitutional term limits for president set by the 22\textsuperscript{nd} Amendment violate the concept of democracy?

SOURCE #9: ROOSEVELT’S SPEECH AT THE DEMOCRATIC VICTORY DINNER

Vocabulary:
- Prosperous – successful, thriving

Document Note: The Democratic Victory Dinner was held on March 4\textsuperscript{th}, 1937 after Roosevelt was elected to his second term in office. At the time, Roosevelt was still dealing with the aftermath of the Depression that had hit the United States in the late 1920’s. Midway through his second term, he would also be dealing with the fallout from WWII which began in Europe in 1939 and questions of what, if any, role the United States should have in this conflict. The United States entered the war in December of 1941 after the bombing of Pearl Harbor.

“My great ambition on January 20, 1941, is to turn over this desk and chair in the White House to my successor, whoever he may be, with the assurance that I am at the same time turning over to him as President, a nation intact, a nation at peace, a nation prosperous, a nation clear in its knowledge of what powers it has to serve its own citizens, a nation that is in a position to use those powers to the full in order to move forward steadily to meet the modern needs of humanity – a nation which has thus proved that the democratic form and methods of government can and will succeed.”

Source: Amendments to the Constitution: 1787 to the Present, R.B. Bernstein
Answer the following questions using the following documents:

Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

SOURCE # 9 – ROOSEVELT’S SPEECH AT THE DEMOCRATIC VICTORY DINNER

1. What did Roosevelt originally intend to do after his second term according to the speech?

2. Roosevelt states in his speech that he wants to turn over the presidency with “a nation intact, a nation at peace, a nation prosperous…” Do you think that the United States fit this description at the end of Roosevelt’s second term? Why or why not?

3. Should a national crisis be reason enough for a president to be allowed to run for more than two terms? Why or why not?

4. Do you think that a new president would have been harmful to the United States had FDR decided to retire after his second term considering the crisis the United States was facing?

5. President Grant and President Theodore Roosevelt also attempted a third term in office. Why do you think FDR succeeded when they failed?

6. Had the United States not become involved in WWII, do you think that Roosevelt would have voluntarily retired at the end of his second term? Why or why not?
Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

SOURCE #10: MONROE QUOTE ABOUT THE TWO TERM TRADITION

Vocabulary:
- Salutary – useful; valuable
- Precedent – model or example

Document Note: Like his predecessors, President Monroe followed the two-term tradition of presidential service set down by George Washington and, following his retirement from office, made the following statement.

“The example of four Presidents voluntarily retiring at the end of their eighth year and the progress of public opinion that the principle is salutary have given it in practice the form of precedent and usage; insomuch that, should a president consent to be a candidate for a third term election, I trust he would be rejected on this demonstration of ambitious views.”

Source: Constitutional Amendments: 1789 to the Present, R.B. Bernstein
Answer the following questions using the following documents:

Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

SOURCE #10: MONROE QUOTE ABOUT THE TWO TERM TRADITION

1. What does Monroe say about the practice of retiring at the end of a president’s eighth year of service?

2. What does Monroe feel would happen if a president decided to run for a third term?

3. Was President Monroe correct about his assumptions of what would happen if a president decided to run for a third term? Explain.

4. Why do you believe that Jefferson, Madison and Monroe all followed President Washington’s example?
Do the constitutional term limits for president set by the 22nd Amendment violate the concept of democracy?

You have now read a background essay and analyzed various documents about the Twenty Second Amendment to the Constitution and term limits of the President of the United States.

Consider the following scenario:

A member of the House of Representatives has proposed an amendment to the Constitution that would repeal the Twenty Second Amendment which instituted mandatory term limits for the president of the United States. The proposed amendment is widely supported by both houses of Congress and by the sitting president. Write a letter to your Congressman that either supports or opposes the new amendment. Make sure to answer the DBQ question in your letter and include a minimum of three of the DBQ documents to support your argument.

Letter Rubric

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<th>Requirements</th>
<th>Marked Down Because...</th>
<th>Points Possible</th>
<th>Points Received</th>
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<td>1. Minimum of 5 paragraphs</td>
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<td>- Intro with thesis Statement</td>
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