



► President Franklin Delano Roosevelt was America's only four-term president. *Courtesy of US News.*

One Radical Idea: Amend 22

| Sal Nuzzo

“No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this article shall not apply to any person holding the office of President when this article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term.”

In 1947, the 22nd Amendment to the United States Constitution was passed by the U.S. Congress. Most view the amendment as a reaction to the unprecedented four presidential elections won by Franklin Delano Roosevelt. And for the most part, that is an accurate assessment. Nevertheless, from the early days of the Republic, the framers discussed, considered, and debated a term limit on the Presidency. It is widely considered George Washington's refusal to run for a third term that effectively muted the debate for more than 150 years. Upon the death of FDR, who served 12 years and 39 days (passing away short of the 16 years to which he was elected) greater attention was paid to the concept of limiting the time that a president may serve. On Feb. 27, 1951, 36 states voted to ratify the 22nd Amendment to the Constitution, thereby setting a term limit for election and overall time of service to the office of President of the United States.

Over the subsequent 65 years, we have witnessed the transition of our entire Republic from the industrial to the information age. That change has impacted all areas of our existence – from the occupational, to the cultural and indeed the political. Fast-forward to politics in the

age of Facebook, Twitter and 24-7-365 news cycles.

We now approach politics as a constant, never-ending process that affords no rest from the campaign-mode of operation. As a result, no sooner is someone elected to office than they are faced with the daunting challenges of fundraising for their next election (often before they are even installed in office), fending off potential future primary opponents, and considering how to ensure success in their next election. This all happens against the backdrop of having to legislate in a divided government. The tasks at hand for the newly elected can appear at times impossible.

For the presidency, this phenomenon is amplified to the highest degree. A campaign for president now unfolds unofficially almost from the very moment the current election is concluded. No sooner than Nov. 9 arrives and cable news, Twitter, blogs, and media outlets all over the world will begin the process of suggesting, evaluating, comparing and contrasting the candidates who will potentially challenge the day-old president-elect. Within that reality, it can be widely predicted that the term of the newly elected president will unfold along a typical rough timeline.

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Year one is emblematically a “honeymoon” phase where an attempt is often made to be deferential to the newly inaugurated president and allow their new cabinet and appointments time to get established and transitioned. From there, a set of legislative priorities for the new administration is pulled together for proposing to the Congress.

Over the past several cycles (and largely dependent upon the configuration of the Congress), an administration will have one, maybe two legislative cycles to push top priorities before thoughts, intentions, and tactics shift to campaign and reelection. Depending on the results of the midterms, tensions get elevated and the shift to the next presidential election begins in earnest.

Potential candidates begin the dance of “exploration,” congressional factions in the opposing party thwart agendas, and yet another \$1 billion is tossed around. Missing from this are inevitable battles over major appointments, such as Supreme Court justices and controversial cabinet secretaries, as well as any possible scandals that may derail the movement of the incumbent’s agenda.

Dependent on the course and results of the re-election campaign, the cycle either gets repeated (with a new president-elect) or dug in as the re-elected incumbent takes to legacy building. Within days of the election results, the focus of the media, political scientists and those engaged in “the process” inevitably shift to the dynamics of the NEXT election (four years into the future).

In the age of instant/new media, as we have seen since the Obama tenure in office, there exists only a tiny window, even

in the context of two full terms in office, to accomplish much in the way of proactive policy, as opposed to reactive situation management (react to the housing crisis, react to global events, react to domestic immediacies). For a president (regardless of party affiliation), the next election is way too soon – even right after the existing election.

It’s often said that simplest solutions are many times the most difficult ones. Nevertheless, there may exist a solution to the challenges faced by attempting to govern in the context of the 21st century campaign – albeit a radical one to suggest and a difficult one to execute. And that possible solution is to amend the 22nd amendment to the U.S. Constitution – in favor of a single, six-year term, for the office of President of the United States.

The governing challenges in the Presidency currently exist, at least in part, because the media and social environment have effectively shrunk the realistic policymaking window to an almost impossible sliver of time. We govern in a dynamic of constant campaigning, and at the federal level this dynamic is its most severe. Maybe it is time to “unshackle” the relationship between the Executive and the Legislative branches, by allowing the president a longer period of time to accomplish 21st century governing. It could give way to an increased ability to establish effective working relationships, define and defend legislative proposals and policy priorities, allow for multiple cycles to accomplish those priorities, as well as to govern outside of the paradigm of the never-ending campaign.

Now, granted this idea would by its

very nature likely be challenged by those in the opposing party of the current occupant. Indeed, many may see this proposal as the equivalent of a nuclear option. However, consider the following – incumbent Presidents are re-elected more than 68 percent of the time. Now consider the actual governing that has occurred in the final two years of the Obama, Bush (43), Clinton, or Reagan administrations. Indeed, scandals, acrimony, legislative gridlock, partisan mud and election posturing have marred the final two years of each of these presidents' terms. An alternative plan could promote a structure of governance where an elected president is freed from the burden of having to plan a re-election effort as soon as he/she steps into the Oval Office. This

The framers established our bicameral system as a necessarily slow process for legislation – that much is clear. Policy at the federal level is meant to be slow, deliberate and a challenge, otherwise we'd be governed by the emotions of the moment. Nevertheless, the framers themselves originally considered the concept of a single term.

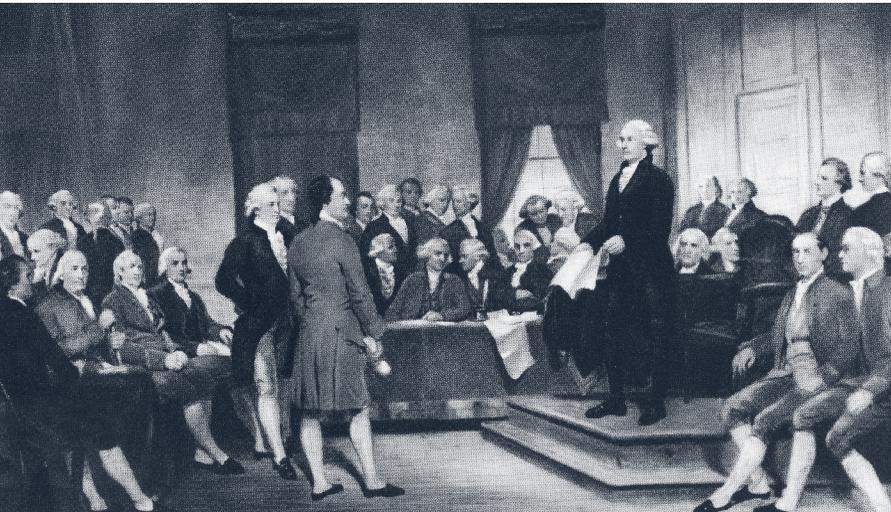
In 1787, Constitutional Convention delegates voted to limit the president to one seven-year term. The final compromise, four-year terms without limit, was in large part due to the knowledge that the first President would almost certainly be George Washington – who was serving as the presiding officer for the Convention.

As stated, President Washington declined to seek a third term after serving two full terms as President. This began an unwritten code among future presidents of not seeking more than two terms. This lasted until 1940 and Franklin Delano Roosevelt.

Elections should have consequences and governing should be allowed to occur based on the results of those elections. In the information and media age, it is clear that the

current structure of terms is responsible for not addressing our most fundamental policy needs – tax reform, regulatory reform, and many other actions to promote greater economic prosperity. It is far more aligned to

alternative plan could also create a situation where every single policy plan would not be measured through the lens of an adversarial relationship between the executive and the judiciary.



► The Constitutional Convention of 1787. *Courtesy of teachingamericanhistory.org.*

promote nothing more than electioneering and electoral plotting.

Thinking through the logistics of such a change to our election structure, one extremely positive side effect would be the impact on the financing and tactics of electioneering – billions of dollars in the cottage industry of campaigning could be shifted toward the policy and ideas debate. Donors, activists, and advocates would have a greater ability and freedom to concentrate on the concepts of policy, and less on politicians.

As an example of this side effect, consider the following statistic from the first presidential term of Barack Obama. During his first term President Obama flew on Air Force One, with all of the cost associated with it, to Florida 19 times and Ohio 24 times. Now, one could make the case that Florida and Ohio are key to the president's policy agenda, but the reality is that it's the worst kept secret in America

that these trips have more to do with the re-election agenda, and the 47 combined electoral votes that these two swing states possessed for the 2012 reelection campaign.

Approximately 200 years ago, Alexis de Tocqueville summarized the current state of presidential governance when he said, “the desire to be re-elected is the chief aim of the president; that the whole policy of his administration, and even his most indifferent measures, tend to this object.”

Sometimes effecting change to move our Republic in a positive direction is a challenging, monumental, daunting and messy task. It was designed that way. Our electoral politics have

evolved substantially and significantly since the days of FDR. So, it begs the question, could it be time to acknowledge that maybe a change is warranted to reflect the times?

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