TERM LIMITS IN OKLAHOMA, CALIFORNIA, AND COLORADO IN 1990

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The most fundamental change in American elections and representation since the 17th Amendment provided for the direct election of Senators looms on the horizon. In 1990, voters in three states, Oklahoma, California, and Colorado, elected to amend their state constitutions to limit the length of legislative tenure (and, in the case of Colorado, on congressional tenure as well). After one failure in 1991 in Washington state, voters in 1992 approved term limit initiatives in 14 states. During the 1993 legislative sessions in New Hampshire and New Jersey, state legislatures came close to approving congressional term limits. The importance of the change wrought by term limits is difficult to overstate because it fundamentally changes the relationships between our legislators and the public, between the legislature and the other actors in the political environment, and within the legislature itself.

The first three-term limit campaigns are examined in this paper. What this research illustrates is that the current trend towards term limitations has caught many people, including legislative scholars, off-guard. As a result, this paper pieces together a variety of sources of information, but does not and cannot provide as comprehensive an examination of the issue as we would like. Since 1990, term limit research has burgeoned. Much of the new literature attempts to understand the potential consequences of term limits (e.g., chaps. 7-13 in this volume; Copeland 1992; Price 1992; Thompson and Moncrief 1993). Many scholars have addressed constitutional issues raised by states enacting term limits on members of Congress (e.g., DeCarli 1993; Eid and Kolbe 1992; Gorsuch and Guzman 1992; Safranek 1993). Other research has examined the differences in public support for term limits (Jewell 1993; Karp 1993) or has identified the consequences of term limits using data from term-limited government entities (Copeland 1993; Rausch 1993b).

Little of the research examines the campaigns which resulted in term limits. This paper attempts to fill that lacuna by analyzing the 1990 campaigns in Oklahoma, California, and Colorado. These campaigns are benchmarks against which later campaigns can be compared. None of the elite leaders who initiated campaigns worked together. Still, the campaigns share many characteristics different from later campaigns; thus, they are valuable sources of information with which to compare more recent efforts.
We begin with an introduction to the concept of term limitation and its history in the United States. The three states then are examined and the elite sources of support and opposition are discussed. Following that, from the mass perspective, we look at who supports the concept and where opposition arises.

THE HISTORY OF TERM LIMITATIONS

The political debate over the amount of time a political official may spend in office is as old as the nation itself (see Petracca 1992a, this volume). The Articles of Confederation in Article V limited each annually appointed delegate to Congress to “three years in any term of six years.” It was this inconvenience, among many, that the delegates attending the Constitutional Convention in 1787 sought to rectify. In the debates leading to the writing of the Constitution, several proposals were offered to limit the terms of the members of the executive and legislative branches (Madison 1893, 61-63, 160-161). According to the Federalist Papers, the delegates believed that in order to govern effectively the members of these branches needed to stay in office long enough to develop "a knowledge of the means by with [the] object [of government] can best be obtained" (Federalist #62). Until the middle of the 20th Century, the Constitution had no provisions limiting the number of times an elected official could be returned to office.

Although term limits never entered further serious discussion until the 20th Century, many elected officials felt compelled by tradition and precedent to leave office after a short tenure. The clearest example is, of course, that all presidents before Franklin Roosevelt followed George Washington’s example and sought no more than two terms. Members of the House of Representatives generally did not seek reelection after serving one or two terms throughout the Nineteenth Century. Abraham Lincoln serves as an example of local tradition in limiting congressional terms in office. After serving one term in the House of Representatives, he returned to Illinois, not to return to Washington until he was elected to the presidency (Price 1971, 23). Other factors, obviously, were involved in this pattern of frequent turnover. Price, for example, cites the lack of a seniority system and the frequent shifts of party control as factors that encouraged many members of the House who desired a career in politics to leave the House and to seek seats in the Senate or in the Governor’s Mansion (1971, 23; Polsby 1968; Polsby, Gallaher, and Rundquist 1969).

In 1940, President Franklin Roosevelt campaigned successfully for a third term as President. This violation of Washington’s precedent upset many Republicans and supporters of the two-term tradition (Klein 1989b, 2). A constitutional amendment to limit the President to two terms was introduced into the House of Representatives in February of 1947. Supported by the new Republican majority that had entered the House after the 1946 mid-term election, the proposed amendment passed the Senate and the House in March of 1947—over the objection