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The Fallacy of the Six-Year Term

Reacting to the Watergate expose, Mr. Nixon has called for serious consideration of a constitutional amendment limiting Presidents to a single six-year term. But Watergate will also be the death of the idea.

The prospects for congressional approval of such legislation may momentarily look bright, since the Democratic majority leader, Sen. Mike Mansfield, immediately introduced an amendment to carry out the Nixon proposal. Yet the chances for final passage are slim.

Sen. Mansfield acted promptly because he and a senior Republican leader, Sen. George Aiken of Vermont, have for years been advocating a single six-year term amendment. Despite their great influence, it has made little progress. This year, owing to the White House scandals, the climate is even worse for it.

Mr. Nixon made his suggestion while calling on Congress to create a nonpartisan study commission to recommend electoral reforms. No study is needed, however, to see that the lesson of Watergate is that nothing could be more dangerous than an extended six-year term in the event of a presidency turning sour.

If, for instance, the proposed amendment were already in effect, Mr. Nixon would now be at the start of a term lasting until Jan. 20, 1979. If Watergate further discredits and disables him, it will be difficult for the country to survive the last three years of his incumbency, let alone five to six years, had the extended term been operative.

Older Americans know from experience the agony of a prolonged failure in the White House. During the Great Depression, the country went from bad

to worse for more than three years as a bewildered and panicky pilot (former President Herbert Hoover) let the ship of state sink almost to the bottom. When Hoover left office, anarchy and revolution were in the air. It is doubtful the United States could have survived another two years under the hapless Hoover.

Andrew Jackson was the only incumbent President other than Mr. Nixon to advance the one-term idea, although the architects of the Constitution considered it before settling on a four-year term with no limitation on re-election. Although more than 150 years of experience confirmed the wisdom of the Founding Fathers, Congress nevertheless has continued to tinker with suggestions for change.

In the last 50 years, 40 proposals for six-year terms have been introduced in Congress, and once (in 1913) the Senate, but not the House, passed such a bill. Finally, in 1947, "in a posthumous revenge" against four-term winner Franklin Roosevelt, a Republican Congress passed the 22d Amendment limiting the presidency to two terms.

Up to now the only effect of this was to keep Gen. Dwight D. Eisenhower from a possible third term. Considering what has happened since he retired, the country might have been better off if he had continued in office. So, if the present Congress wants to do something useful in this area, it could repeal the 22d Amendment and go back to the original Constitution.

The spurious logic of the one-term limitation is that if a President cannot succeed himself he will be "above politics," and presumably a better Chief Executive. In practice, though, all of our Presidents, especially the great ones,

have made their reputations in their first terms, which may be why nearly all the great ones were re-elected.

The reason the Founding Fathers decided against a one-term limitation is that it was saying, in effect, that the democratic process could not be trusted, and that future generations could not be counted on to decide for themselves whether or not a President should be retained.

It is, fundamentally, a condescending notion and, happily, one that has been disproved. On the whole, there could hardly be a better testimonial to popular judgment than the Presidents who have been re-elected, such as Washington, Jefferson, Lincoln and, in this century, Wilson, Franklin Roosevelt and Eisenhower. Perhaps the only better testimonial is the Presidents who have not been re-elected.

Sens. Mansfield and Aiken are attracted to the one-term limitation for the same reason. Says Aiken: "A single term would allow a President to wear at all times his presidential hat and forget for a while that he also owns a politician's hat." Says Mansfield: "We want to help the President to be President of all the people all the time, politics apart."

The best short answer I know to this comes from Clark Clifford, an adviser to several Chief Executives. He says: "A President immunized from political considerations is a President who need not listen to the people, respond to majority sentiment, or pay attention to views that may be diverse, intense, and perhaps at variance with his own." And Arthur Schlesinger Jr. adds, "The idea of a President 'above politics' is hostile to the genius of democracy."

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