



Written by [Raven Clabough](#) on January 8, 2013

Democratic Rep. Again Proposes Abolishing Presidential Term Limits

New York Democratic Representative José Serrano is proposing a constitutional amendment to end presidential term limits once again after 15 years of attempts to pass the measure, which would repeal the 22nd Amendment to the Constitution.



House Joint Resolution 15 [reads](#):

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification: The twenty-second article of amendment to the Constitution of the United States is hereby repealed.

As noted by Fox News, Serrano has very little chance of being successful in his endeavor: “The 12-term congressman likely faces long odds, as before, considering the resolution has no sponsors, never got a vote last year in the Republican-controlled House, needs two-thirds support in both chambers and ratification from roughly 75 percent of state legislatures.”

But that has not stopped advocates of the amendment from pushing forward. Supporters claim that the Constitution inhibits the American people from reelecting its most successful leaders.

America’s first president, George Washington, set a precedent of serving just two terms in office that all presidents who came after him followed, with just one exception: Franklin D. Roosevelt. Roosevelt served three full terms in office and died during his fourth term at the age of 83. Immediately following the end of WWII, Congress passed the 22nd Amendment, which was ratified by the necessary number of states in 1951.

Constitutional Scholar Bruce Peabody [elaborates](#):

Although the 22nd Amendment was clearly a reaction to Franklin D. Roosevelt’s service as President for an unprecedented four terms, the notion of presidential term limits has long-standing roots in American politics. The Constitutional Convention of 1787 considered the issue extensively, although it ultimately declined to restrict the amount of time a person could serve as President. But following George Washington’s decision to retire after his second elected term, numerous public



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figures subsequently argued he had established a “two-term tradition” that served as a vital check against any one person, or the presidency as a whole, accumulating too much power. Congress expressed its interest in presidential term limits by introducing 270 measures restricting the terms of office of the President prior to proposing the Twenty-second Amendment.

America’s Founding Fathers [recognized](#) the importance of presidential term limits, though they did not include such a provision for it in the Constitution. Thomas Jefferson wrote in 1805 of the need for a formal term limit when he indicated that he had planned to follow in George Washington’s example.

“Gen. Washington set the example of voluntary retirement after eight years,” Jefferson wrote in an 1805 letter to John Taylor. “I shall follow it, and a few more precedents will oppose the obstacle of habit to anyone after a while who shall endeavor to extend his term. Perhaps it may beget a disposition to establish it by an amendment of the Constitution.”

In that letter, he warned of the potential for a presidential monarchy without the establishment of presidential term limits.

Believing that a representative government, responsible at short periods of election, is that which produces the greatest sum of happiness to mankind, I feel it a duty to do no act which shall essentially impair that principle; and I should unwillingly be the person who, disregarding the sound precedent set by an illustrious predecessor, should furnish the first example of prolongation beyond the second term of office.

“If some termination to the services of the chief magistrate be not fixed by the Constitution or supplied in practice,” Jefferson wrote to the Vermont Legislature, “his office, nominally for years, will in fact become for life; and history shows how easily that degenerates into an inheritance.”

There have been a number of attempts to repeal the 22nd Amendment, many of them by Rep. Serrano, who has introduced similar legislation in nearly every Congress since 1997.

But Serrano is not the only lawmaker to [attempt](#) to repeal the 22nd Amendment.

In 2005, Representative Steny Hoyer (D-Md.) introduced such a resolution that had bipartisan co-sponsorship with Reps. Frank Pallone (D-N.J.), and Jim Sensenbrenner (R-Wis.).

In 1989, Democratic Senator Harry Reid of Nevada also introduced a similar resolution.

Senator Mitch McConnell (R-Ky.) offered a proposal to repeal the 22nd Amendment in 1995 during Bill Clinton’s presidency.

While serving as the chairman of the National Republican Congressional Committee, the late Michigan Republican Rep. Guy Vander Jagt introduced legislation to repeal presidential term limits in order to set the stage for Ronald Reagan to run for a third term, stating, “The 22nd Amendment is an insult to American voters who are wise and well-informed.”

At the time, Reagan supported Jagt’s move, declaring that the 22nd Amendment stripped voters of the right to “vote for someone as often as they want to do.”

President Bill Clinton has also spoken in favor of repealing the 22nd Amendment, though he has stated that presidents should take time off before seeking a third term.

“Shouldn’t a president be able to take two terms, take time off and run again? I’ve always thought that should be the rule,” Clinton [said in November](#) during an MSNBC interview. “I think as a practical matter, you couldn’t apply this to anyone who has already served, but going forward, I personally



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believe that should be the rule.”

Regardless of the likelihood that Serrano’s resolution will fail, the proposal has provoked a firestorm on the Internet from those opposed to the mere suggestion, claiming it is “un-American.”

According to OpenCongress.org, 99 percent of the site’s users are opposed to the proposal. Similar figures are seen in Popvox.

Douglas Gibbs of Before It’s News [explains](#) the adamant opposition to repealing the 22nd Amendment: “A limit on presidential term limits as is provided by the 22nd Amendment is one of the few tools remaining that can be used to stop the tyrannical plunge this nation seems to be taking.”

The debate over the fiscal cliff has dominated the news lately, thereby allowing Serrano’s resolution to go mostly unnoticed.

H.J. Res. 17 now goes to the House Judiciary Committee, where it will most likely die.

Photo of Rep. José Serrano (D-N.Y): AP Images



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