

## A REEXAMINATION OF THE AMERICAN PRESIDENTIAL TENURE: AFTER THE ENACTMENT OF THE 22ND AMENDMENT

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### Abstract

There have been eight Presidents since the passage of the 22nd Amendment to the U.S. Constitution in 1951. Only Dwight D. Eisenhower served for two full terms, and there was some effort to repeal the Amendment in the Congress in 1956, 1957, and 1959 during his years. The proposal of a single six-year term has been submitted to the Congress from time to time since 1968. All failed to pass.

Most scholars oppose the 22nd Amendment because they regard it as an infringement of popular liberty and democratic sovereignty and also as a reduction of the President's power in his second term. They support the two-term tradition and hope to restore the original provision of the Constitution.

But repeated public opinion polls indicated that majorities of the American people supported the Amendment. They saw it as an instrument whereby the public could protect itself from prolonged concentration of the Presidential power which could lead to dictatorship.

Under the 22nd Amendment, the influence of the President entering his second term would be more weakened than that if he had been restricted by the two-term tradition. After his first inauguration, the influence of the President decreases and his effectiveness increases with the passage of time. In the early stage of the second term these two cycles are at their best blend. Nevertheless, the two-term limitation restricts the President's ability to use that greater effectiveness gained in the first term and he has little time to follow through on innovation. Though there is more freedom for new ideas, there is less potential for success.

As regard to the single six-year term, since the President

could not be reelected again ever, his influence would decrease faster and faster after his inauguration, leaving the President an early lame duck.

For the sake of restraining the executive power from expanding improperly the 80th Congress passed the 22nd Amendment. The insistence of the American people on the two-term tradition has been the most important factor for the viability of the Amendment.